



Superannuation (Miscellaneous Provisions) Act 1948

1948 CHAPTER 33

8 Amendment of Teachers (Superannuation) Act, 1925, s. 3.

(1) In subsection (1) of section three of the Teachers (Superannuation) Act, 1925 (which requires the Minister of Education to grant superannuation allowances as thereafter provided in that section to the teachers specified in that subsection), there shall be substituted for paragraph (c) the following paragraph, that is to say—

“(c) has attained the age of sixty years and has, either since the date of commencement of the first period during which he was employed in contributory or recognised service or since the date of commencement of any later period during which he was so employed—

- (i) been employed for not less than ten years in such service ; and
 - (ii) been so employed for periods equal in the aggregate to not less than two-thirds of the number of years between the relevant date of commencement aforesaid and the date on which he attained or will attain the age of sixty-five years ;
- or”

(2) The said Act shall be deemed always to have had effect as amended by this section :

Provided that where, but for this proviso, by virtue of the preceding provisions of this section the date from which an annual superannuation allowance would have begun to accrue, or the date on which an additional allowance would have become due, falls before the date of the passing of this Act, the said allowance shall be deemed not to have begun to accrue, or, as the case may be, to have become payable, until the said date of the passing of this Act.

(3) Where a person who, at any time between the date of the commencement of the Teachers (Superannuation) Act, 1945, and the date of the passing of this Act, has been employed in contributory service by a local authority or by the managers or governors of a school maintained by a local education authority under the Education Acts, 1944 and 1946—

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- (a) was employed before the date of commencement of the said Act of 1945 in any service in respect of which he was entitled to make an application under section five of the said Act of 1945 that that service should be treated for the purposes of the Teachers (Superannuation) Act, 1925, as if it had been contributory service or recognised service ; and either
- (b) failed before the passing of this Act to make such an application ; or
- (c) upon making such an application, requested that his service before a date specified by him should not be so treated as aforesaid,

and where, if it were so treated as aforesaid, that service before the date of the commencement of the said Act of 1945 or any part of that service, or as the case may be, that service before the said date so specified by him or any part thereof—

- (i) if the preceding provisions of this section had not been passed, would or might; but
- (ii) by reason of the passing of the said provisions, could not result in that person being prevented from being or becoming entitled to a superannuation allowance under section three of the Teachers (Superannuation) Act, 1925, that person may, within the period of six months from the date of the passing of this Act or within such longer period as the Minister of Education may in any particular case allow, make application under the said section five, or, as the case may be, make a new application thereunder in the manner prescribed for the purposes of that section in lieu of that previously made, and the said section five shall have effect, subject to any necessary adjustments in respect of payments of appropriate contributions already made, as if the relevant period under this subsection were the time prescribed for the making of applications under that section.