

SCHEDULE 6

FAMILY BENEFITS

PART IV

FAMILY BENEFITS AND WAR SERVICE

16.—(1) In this Part “war service period ” means a period which a teacher is entitled to count as reckonable service by virtue of regulation D5 or D6 and references to a teacher’s being notified are to his being notified that he is so entitled.

(2) This Part does not apply—

- (a) if the teacher’s family benefit service does not include all periods counting as reckonable service otherwise than by virtue of regulation D5 or D6; or
- (b) if his war service period counts by virtue of regulation D5 and he died before the date from which war service provisions had effect in the public service pension scheme in pursuance of which the transfer value referred to in regulation D5(1)(c) was paid.

17.—(1) Subject to paragraph 20, a teacher who was notified before becoming entitled to payment of retiring allowances may, by giving written notice to the Secretary of State within 3 months after the relevant date, elect that his war service period is to be included in his family benefit service.

(2) The relevant date—

- (a) if he applied for payment of retiring allowances before becoming entitled to payment of them and before being notified, is the date on which he was notified; and
- (b) in any other case, is the date on which he applied for payment of retiring allowances.

18. Subject to paragraph 20, a teacher who was notified after becoming entitled to payment of retiring allowances may, by giving written notice to the Secretary of State within 6 months after the date on which he was notified, elect that his war service period is to be included in his family benefit service.

19.—(1) If an election is made under paragraph 17 or 18, an additional contribution equal to the actuarial value of the unpaid contributions relating to the relevant war service period at 1st April 1978 becomes payable.

(2) In the case of an election under paragraph 17 the additional contribution is to be deducted from the appropriate terminal sum.

(3) In the case of an election under paragraph 18 the additional contribution may, without prejudice to any other method of recovery, be deducted from any death gratuity under regulation E19.

20.—(1) If the teacher—

- (a) died before 1st June 1983; or
 - (b) has died before being notified; or
 - (c) has died after being notified and without having made an election under paragraph 17 or 18 but while still entitled to do so,
- paragraphs 17 to 19 do not apply but 2/3rds of his war service period is included in his family benefit service.

(2) If the teacher died before 1st June 1983, this paragraph does not apply so as to reduce the amount of any family benefit.