

SCHEDULE 2

PENSIONABLE EMPLOYMENT

PART I

EMPLOYMENTS PENSIONABLE WITHOUT ELECTION

1. Teacher employed by, or in a school or institution providing further education or higher education (or both) maintained by, a local education authority.
2. Teacher in a special school which is not a grant-maintained special school or maintained by a local education authority.
3. Teacher in a school, other than a special school, in respect of which grants are made by the Secretary of State or a funding authority within the meaning of section 26 of the 1996 Act to the person responsible for its management.
4. Teacher in a grant-maintained special school.
5. Teacher, organiser or supervisor employed—
 - (a) in an independent school which is for the time being recognised by the Secretary of State as a city technology college, or, as the case may be, a city college for the technology of the arts, or
 - (b) in connection with a proposed independent school the proposals for which are for the time being recognised by the Secretary of State as proposals for a city technology college, or, as the case may be, a city college for the technology of the arts.
6. Teacher in an institution providing further education or higher education (or both) in respect of which grants are made to the governing body by the Secretary of State, by a body to which grants are made by the Secretary of State, or by a local education authority, other than—
 - (a) a university or college of a university, and
 - (b) the Royal College of Art.
7. Teacher in a university established on or after 6th May 1992 which, immediately before it became such, was an institution of higher education described in paragraph 6, whether or not that teacher was a teacher in that institution before it ceased to fall within that description and became a university.
8. Teacher employed in—
 - (a) a community home within the meaning of Part VI of the Children Act 1989⁽¹⁾.
 - (b) a voluntary home as defined in section 60 of that Act, or
 - (c) a home of the kind referred to in section 82(5) of that Act.
9. Teacher employed by a local authority or a voluntary organisation in an establishment which provides facilities under arrangements approved under section 19 of the Children and Young Persons Act 1969⁽²⁾.
10. Teacher in—
 - (a) a residential care home within the meaning of Part I of the Registered Homes Act 1984⁽³⁾, or,

(1) 1989 c. 41.

(2) 1969 c. 54; section 19 was substituted by the Criminal Justice Act 1982 (c. 48), section 21.

(3) 1984 c. 23.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(b) a mental nursing home as defined in section 22 of the Act, who, at any time before the commencement of Part III of the Mental Health Act 1959⁽⁴⁾, was in pensionable employment in a certified institution as defined in section 71 of the Mental Deficiency Act 1913⁽⁵⁾.

11. Teacher in a special hospital provided by the Secretary of State under section 4 of the National Health Service Act 1977⁽⁶⁾ (“the 1977 Act”).

12. Teacher employed for the purpose of instructing, training, or superintending the occupation of persons suffering from mental impairment, severe mental impairment, psychopathic disorder or mental illness—

- (a) in a hospital provided by the Secretary of State in accordance with the 1977 Act, or
- (b) by a voluntary organisation to which—
 - (i) financial assistance is given by a local authority, or
 - (ii) facilities are made available under section 23 of the 1977 Act⁽⁷⁾ or
- (c) by a local authority in the exercise of its functions under paragraph 2 of Schedule 8 to the 1977 Act⁽⁸⁾.

13. Teacher employed by the Field Studies Council.

14. Teacher employed in pursuance of arrangements made by the Secretary of State with the governors of any establishment which, by virtue of the European Communities (European Schools) Order 1972⁽⁹⁾, has the legal capacities of a body corporate.

15. Organiser employed as a youth and community worker by a local education authority for the purposes of their functions under section 15 or 508 of the 1996 Act.

⁽⁴⁾ 1959 c. 72.

⁽⁵⁾ 1913 c. 28.

⁽⁶⁾ 1977 c. 49; section 4 was amended by the Mental Health Act 1983 (c. 20), Schedule 4, paragraph 47.

⁽⁷⁾ Section 23 was repealed in part by the Health Services Act 1980 (c. 53), Schedule 7.

⁽⁸⁾ Paragraph 2 of Schedule 8 was amended by the Mental Health Act 1983 (c. 20), Schedule 4, paragraph 47.

⁽⁹⁾ S.I. 1972/1582.