

Superannuation : Agricultural and Technical Teachers.

ORDER IN COUNCIL, DATED 26TH JULY, 1944, APPROVING TEACHERS' SUPERANNUATION SCHEME FRAMED BY THE MINISTRY OF FINANCE IN PURSUANCE OF SECTIONS 70 AND 71 OF THE EDUCATION ACT (NORTHERN IRELAND), 1923, AND OF THOSE SECTIONS AS APPLIED TO TEACHERS IN AGRICULTURAL SUBJECTS BY AN ORDER MADE BY THE GOVERNOR OF NORTHERN IRELAND IN COUNCIL ON THE 29TH DAY OF MAY, 1925.

1944. No. 63.

BY THE GOVERNOR IN THE PRIVY COUNCIL OF NORTHERN IRELAND.

A B E R C O R N

WHEREAS a Scheme (hereinafter referred to as "the Principal Scheme") dated the 13th day of October, 1925, was framed by the Ministry of Finance in consultation with the Ministry of Education and the Ministry of Agriculture, in pursuance of Section 70 of the Education Act (Northern Ireland), 1923 (hereinafter referred to as "the Act of 1923"), and of that Section as applied to teachers in agricultural subjects by an Order made by the Governor of Northern Ireland in Council on the 29th day of May, 1925, and was approved by Order in Council on the 4th day of February, 1926:

AND WHEREAS the Principal Scheme was amended by Amending Schemes dated the 16th day of December, 1929, the 15th day of October, 1936, the 30th day of May, 1939, and the 31st day of May, 1940, which were approved by Orders in Council on the 6th day of May, 1930, the 23rd day of November, 1936, the 31st day of August, 1939, and the 15th day of August, 1940, respectively:

AND WHEREAS the Principal Scheme as so amended is hereinafter referred to as "the Principal Scheme as amended":

AND WHEREAS it has been deemed desirable to amend the Principal Scheme as amended in certain particulars:

AND WHEREAS the Ministry of Finance in consultation with the Ministry of Education and the Ministry of Agriculture has, in pursuance of Sections 70 and 71 of the Act of 1923, framed a Scheme (hereinafter referred to as 'the Amending Scheme'), for amending the Principal Scheme as amended, which Amending Scheme is set out in the Schedule to this Order:

AND WHEREAS the Amending Scheme has been laid before both Houses of Parliament and neither such House has within the period prescribed in that behalf by Section 71 of the Act of 1923, as amended by Section 4 of the Rules Publication Act (Northern Ireland), 1925,

presented an Address praying the Governor of Northern Ireland to withhold his assent from the Amending Scheme :

NOW I, JAMES ALBERT EDWARD, DUKE OF ABERCORN, Knight of the Most Noble Order of the Garter, Knight of the Most Illustrious Order of Saint Patrick, Governor of Northern Ireland, by and with the advice of the Privy Council of Northern Ireland, in exercise of the powers conferred upon me by Section 71 of the Act of 1923, and of all other powers enabling me in that behalf, do hereby approve of the Amending Scheme.

Given at Government House, Hillsborough, this 26th day of July, 1944.

B Brooke.

J. M. Sinclair.

William Lowry.

William Grant.

Joseph Davison.

SCHEDULE.

In pursuance of Sections 70 and 71 of the Education Act (Northern Ireland), 1923, and of the said Sections as applied to teachers in agricultural subjects by the Order of the Governor in Council dated the 29th day of May, 1925, the Ministry of Finance, in consultation with the Ministry of Education and the Ministry of Agriculture, hereby frames the following Scheme for amending the Agricultural and Technical Teachers' Superannuation Scheme, 1925, as amended by the Teachers' (Agricultural and Technical) Superannuation (Amendment) Schemes, 1930, 1936, 1939 and 1940, and all such Schemes are hereinafter referred to as "the Principal Scheme as amended".

PART I. ADDITIONAL ALLOWANCE FOR TEACHERS RETIRED BEFORE 1ST JULY, 1936.

1. There shall be granted to a teacher who retired with a pension or gratuity before the 1st day of July, 1936, and who was alive on the 2nd day of November, 1943, an additional allowance equal to one-thirtieth of the average annual salary, computed as in the Principal Scheme as amended, multiplied by the number of completed years of service ascertained by adding to one-half of the period of service given before the date of admission to the Principal Scheme as amended the full period of service given on or after that date, provided that the total additional allowance so payable shall in no case exceed one and a half times the average annual salary.

2. The amount of the additional allowance payable under Article 1 hereof shall be abated by the amount of contributions calculated at the rate of one and a half per cent. per annum on the teacher's retiring salary for the period of his service given between the date of admission to the Principal Scheme as amended and the date of retirement.

PART II. ADDITIONAL ALLOWANCE FOR TEACHERS RETIRED AFTER 1ST JULY, 1936, AND FOR EXISTING PENSIONABLE TEACHERS.

3. This Part of the Scheme shall apply to :—

- (1) teachers who retired on pension or gratuity on or after the 1st day of July, 1936 ;

- (2) teachers who are in pensionable service or temporarily out of pensionable service at the date of this Scheme (hereinafter referred to as "existing teachers"); and who had pensionable service before the date of admission to the Principal Scheme as amended.

4. There shall be granted to a pensioner to whom this Part of the Scheme applies or to an existing teacher who retires and is eligible for pension or gratuity under the Principal Scheme as amended, an additional allowance equal to one-thirtieth of the average annual salary computed as in the Principal Scheme as amended multiplied by one-half of the number of years of service given before the date of admission to the Principal Scheme as amended, provided that the total additional allowance payable under the Principal Scheme as amended and this Scheme shall in no case exceed one and a half times the average annual salary:

5. Any fraction of a year in excess of the number of completed years in the one-half of the period of service given before the date of admission to the Principal Scheme as amended, may, if necessary, be added to a fraction of a year in excess of the number of completed years of service given after that date for the purpose of making up a further completed year of service for the calculation of the additional allowance under this Scheme and the Teachers' (Agricultural and Technical) Superannuation (Amendment) Schemes, 1936 and 1940 (hereinafter referred to as "the 1936 Scheme" and "the 1940 Scheme" respectively).

Provided that where the additional allowance is so payable in respect of a further completed year of service, the amount shall be reduced by the amount, if any, paid under the provisions of Article 5 of the 1936 Scheme.

PART III. GENERAL.

6. The amount of additional allowance when payable to a legal personal representative shall be abated by the amount, if any, paid under Article 15 (1) of the Teachers' (Agricultural and Technical) Superannuation Scheme, 1925.

7. Subject to the provisions hereof, this Scheme shall apply to—

(1) a teacher who comes under the terms of the Teachers' Superannuation (Reciprocal Arrangements) Scheme, 1929, as amended by the Teachers' Superannuation (Reciprocal Arrangements) (Amendment) Scheme, 1935, only in so far as during his service in schools in Northern Ireland he shall have paid contributions under Article 4 of the 1940 Scheme.

(2) a pensioner who, at the date of his retirement on pension, came under the provisions of the said Reciprocal Arrangements Schemes.

8. The expression "pension" in the Principal Scheme as amended shall be deemed, unless the contrary intention is apparent, to include the additional allowance under this Scheme.

9. (1) In Article 2 of the 1940 Scheme the words "excluding non-contributing service" in line 6 of that Article shall be deleted.

(2) Article 9 of the 1940 Scheme (which provided for the postponement of the payment of additional allowances under that Scheme until after the end of the period of the present emergency) is hereby cancelled, and the payments provided for under that Scheme shall be made forthwith.

10. This Scheme may be cited as the Teachers' (Agricultural and Technical) Superannuation (Amendment) Scheme, 1944.

Sealed with the Official Seal of the Ministry of Finance this
2nd day of May, 1944, in the presence of

(L.S.)

C. H. Petherick,

Assistant Secretary.