

5.—So much of the Regulations for public elementary schools as requires the payment of war bonus to any teacher to whom these Regulations apply shall cease to have effect.

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 5th day of June, 1947, in the presence of

(L.S.)

R. S. Brownell,

Secretary.

Teachers' Remuneration

Public Elementary Teachers' Superannuation

ORDER IN COUNCIL, DATED THE 24TH JUNE, 1947, APPROVING TEACHERS' SUPERANNUATION SCHEME FRAMED BY THE MINISTRY OF FINANCE IN PURSUANCE OF SECTIONS 70 AND 71 OF THE EDUCATION ACT (NORTHERN IRELAND), 1923.

1947. No. 114

BY THE GOVERNOR IN THE PRIVY COUNCIL OF NORTHERN IRELAND.

GRANVILLE

WHEREAS a Scheme (hereinafter referred to as "the Principal Scheme") dated the 17th day of May, 1926, was framed by the Ministry of Finance in consultation with the Ministry of Education, in pursuance of Section 70 of the Education Act (Northern Ireland), 1923, (hereinafter referred to as "the Act of 1923"), and was approved by Order in Council on the 29th day of July, 1926 :

AND WHEREAS the Principal Scheme was amended by Amending Schemes dated the 26th day of April, 1927, the 21st day of July, 1927, the 5th day of December, 1929, the 15th day of October, 1936, the 14th day of March, 1939, the 31st day of May, 1940, the 4th day of April, 1944, and the 18th day of July, 1944, which were approved by Orders in Council on the 19th day of May, 1927, the 20th day of December, 1927, the 27th day of January, 1930, the 23rd day of November, 1936, the 26th day of May, 1939, the 15th day of August, 1940, the 26th day of May, 1944, and the 3rd day of November, 1944, 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 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, WILLIAM SPENCER, EARL GRANVILLE, Knight Commander of the Royal Victorian Order, Companion of the Most Honourable Order of the Bath, Companion of the Distinguished Service Order, Vice-Admiral, 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, do hereby approve of the Amending Scheme.

Given at Government House, Hillsborough, this twenty-fourth day of June, 1947.

Basil Brooke

James Andrews

J. M. Sinclair

Edmond Warnock

Brian Maginess

S. C. Porter

Arthur Black

SCHEDULE

In pursuance of Sections 70 and 71 of the Education Act (Northern Ireland), 1923, the Ministry of Finance (hereinafter referred to as " the Ministry ") in consultation with the Ministry of Education, hereby frames the following scheme for amending the Public Elementary Teachers' Superannuation Scheme, 1926, as amended by the Compensated Model School Teachers' Superannuation Scheme, 1927, the Compensated Model School Teachers' Superannuation (Amendment) Scheme, 1927, the Teachers' (Public Elementary) Superannuation (Amendment) Schemes, 1930, 1936, 1939, 1940, 1944 and No. 2 of 1944 and all such schemes are hereinafter referred to as " the Principal Scheme as amended ".

1. The following shall be substituted for Article 5 of the Principal Scheme as amended :—

" 5 (1) A teacher retiring on pension during the three years ending on the 31st March, 1947, may elect to have his pension and additional allowance calculated on the basis of the average annual salary paid to him for the three years of actual service either :—

- (a) up to the 31st March immediately preceding the commencement of pension ; or
- (b) immediately preceding the commencement of pension, whichever basis of calculation is more favourable to him.

The amounts of pension and additional allowance already granted to a pensioner who is alive at the date of this scheme shall, if necessary, be revised accordingly.

- (2). The pension to be granted to a teacher retiring—
- (a) during the year ending on the 31st March, 1948, shall be for each completed year of service at the rate of one-eightieth of the average annual salary paid to him for the four years of actual service immediately preceding the commencement of pension ;
 - (b) during the year ending on the 31st March, 1949, and thereafter shall be for each completed year of service at the rate of one-eightieth of the average annual salary paid to him for the five years of actual service immediately preceding the commencement of pension,

and the additional allowance shall be calculated on the same average salary as pension.

Provided that the amounts of pension and additional allowance to be granted to a teacher retiring during the year ending on the 31st March, 1948, if less than the amounts which would be granted if the teacher retired on the 31st March, 1947, shall be increased to those amounts and the amounts of pension and additional allowance to be granted to a teacher retiring during the year ending on the 31st March, 1949, if less than the amounts which would be granted if the teacher retired on the 31st March, 1948, shall be increased to those amounts; but not so that pension and additional allowance may be calculated as if retirement had taken place on the 31st March, 1947.

- (3). All pensions (including existing pensions) which are not an exact multiple of a shilling shall be increased to the next larger multiple of a shilling.
- (4). The amount of a pension shall not exceed forty-eightieths of the average annual salary."

2. The following shall be substituted for Article 6 (2) of the Principal Scheme as amended :—

" 6 (2) Pensions shall accrue from day to day and shall be payable monthly in arrear at such times and in such manner as the Ministry may determine."

3. The following shall be substituted for Article 7 (2) of the Principal Scheme as amended :—

" 7 (2) Should a teacher retire through disability before completing ten years' service he shall be awarded for each completed

year of service a gratuity at the rate of one-tenth of the average annual salary paid to him for the five years or for such shorter period as the Ministry may determine immediately preceding the grant of the gratuity.

Provided that in the case of the retirement of a teacher through disability under this Article during either of the years ending on the 31st March, 1948, or 31st March, 1949, the alternative method of calculation for the purpose of pension and additional allowance as laid down in the proviso to Article 5 (2) hereof shall also apply for the purpose of the calculation of the gratuity payable under this Article."

4. The following shall be substituted for Article 9 (2) of the Principal Scheme as amended :—

" 9 (2). In the event of the death of a teacher after he has completed ten years' service there shall be paid to his legal personal representative either a gratuity equal to the average annual salary paid or payable to the teacher in respect of the five years actual service given by him immediately preceding the grant of the gratuity or a repayment of all contributions paid by the teacher together with compound interest thereon at the rate of 3% per annum, whichever amount is the greater.

Provided that in the case of the death of a teacher occurring during either of the years ending on the 31st March, 1948, or 31st March, 1949, the number of years to be taken for the calculation of the average annual salary shall be as laid down in Article 5 (2) hereof for the calculation of pension and additional allowance during those years, and the alternative method of calculation for the purpose of pension and additional allowance as laid down in the proviso to that Article shall also apply for the purpose of the amount of the average annual salary payable during those years under this Article."

5. This Scheme may be cited as the Teachers' (Public Elementary) Superannuation (Amendment) Scheme, 1947, and save where otherwise provided shall come into operation on the 1st day of April, 1947.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 31st day of March, 1947, in the presence of

(L.S.)

J. I. Cook,
Assistant Secretary.
