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STATUTORY RULES OF NORTHERN IRELAND

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**1998 No. 333**

**Teachers' Superannuation Regulations (Northern Ireland) 1998**

**Part C**

**Teachers' Contributions**

**Right to repayment of balance of contributions**

**C9.**—(1) Subject to paragraphs (2), (3) and (4), this regulation applies where a person has ceased to be in pensionable employment and—

- (a) he is not qualified for retirement benefits; and
- (b) no transfer value has since been paid or become payable in respect of him; and
- (c) he has not since taken any right to a cash equivalent; and
- (d) he did not re-enter pensionable employment within one month after ceasing to be in pensionable employment; and
- (e) he has not elected to pay additional contributions under regulation C6 or C7 for any period which includes the period beginning when he ceased to be in pensionable employment and ending one month later.

(2) This regulation does not apply if—

- (a) the person ceased to be in pensionable employment before 6th April 1980; and
- (b) the salary on which contributions were payable by him under the 1977 Regulations or under previous provisions in any year had exceeded £5,000.

(3) For the purposes of paragraph (1) a woman who ceased to be in pensionable employment wholly or partly because of pregnancy or confinement shall be treated—

- (a) as having remained in such employment while she enjoyed the right to return to work conferred by Articles 111 to 117 of the Employment Rights (Northern Ireland) Order 1996; and
- (b) if she has exercised that right, as not having ceased to be in pensionable employment.

(4) Subject to regulation C12 (application for repayment), where this regulation applies the person is entitled to be repaid the balance of his contributions, calculated in accordance with regulation C10.

(5) The entitlement referred to in paragraph (4) takes effect one month after the person ceased to be in pensionable employment or on attaining the age of compulsory retirement if earlier.