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STATUTORY RULES OF NORTHERN IRELAND

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**1998 No. 333**

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

**Part E**

**Benefits**

**Abatement of retirement pension during further employment**

**E14.**—(1) This regulation applies while a person who has become entitled to payment of a teacher's pension is employed—

- (a) in pensionable employment, comparable service, or in employment which would have been pensionable employment but for—
  - (i) his having made an election under regulation B4;
  - (ii) his having attained the age of compulsory retirement; or
  - (iii) regulation B3(3);
- (b) in part-time employment in a capacity described in Part I of Schedule 2.

(2) If the person is concurrently both in employment falling within paragraph (1)(a) and in employment falling within paragraph (1)(b) this regulation applies only in respect of the former.

(3) Where this regulation applies the annual rate of the pension is reduced—

- (a) if A equals or exceeds  
 $(C + D - E),$

, to zero; and

- (b) in any other case, by the amount (if any) which is necessary to secure that  
 $(A + B)$

does not exceed

$$(C + D - E),$$

where—

A is the initial annual rate of the person's salary in the employment;

B is the reduced annual rate of the pension as increased under the Pensions (Increase) Act (Northern Ireland) 1971(1);

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(1) 1971 c. 35 (N.I.). Part 1 of the Act has been amended by Article 23(1) of, and paragraphs 8 to 10 of Schedule 6 to the Superannuation (Northern Ireland) Order 1972 (S.I. 1972/1073 (N.I. 10)); Articles 5(2) and (3) of the Pensions (Increase) (Northern Ireland) Order 1974 (S.I. 1974/1267 (N.I. 2)); Article 74(2) of, and Schedule 6 to the Social Security Pensions (Northern Ireland) Order 1975 (S.I. 1975/1503 (N.I. 15)) and Article 2 of the Pensions Increase (Reduction of Qualifying Age) Order 1972 (S.R. & O. (N.I.) 1972 No. 264)). See also Articles 69 and 69A of the Social Security Pensions (Northern Ireland) Order 1975 (S.I. 1975/1503 (N.I. 15)) which have effect as if they were contained in Part V of that Act. Article 69A was inserted by the Social Security (Northern Ireland) Order 1979 (S.I. 1979/396 (N.I. 5)); Article 10(3) Part I of the Act has also been amended by the Pensions (Miscellaneous Provisions) (Northern Ireland) Order 1990 (S.I. 1990/1509 (N.I. 13))

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

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C is, or where his previous pensionable employment was part-time is the full-time equivalent of, the highest annual rate of contributable salary that was payable to him during the 3 years ending immediately before he became entitled to payment of the pension, or, if applicable, the highest annual rate of contributable salary that was payable to him during the 3 years ending immediately before he ceased to be employed in any pensionable employment entered into by him after he became entitled to payment of the pension, whichever is the greater;

D is the amount (if any) by which, immediately before the first day of the employment, C would have been increased if it had been the annual rate of an official pension within the meaning of the Pensions (Increase) Act (Northern Ireland) 1971, beginning, and first qualifying for increases under that Act, on the same date as the pension; and

E is any part of the pension allocated under regulation E11.