
STATUTORY RULES OF NORTHERN IRELAND

1998 No. 333

Teachers' Superannuation Regulations (Northern Ireland) 1998

Part E

Benefits

Qualification for retirement benefits

E3.—(1) A person is qualified for retirement benefits if—

- (a) immediately before 6th April 1988 he would but for his age have been entitled under regulation 48 of the 1977 Regulations to payment of an annual allowance and an additional allowance; or
- (b) an appropriate qualifying period has been completed.

(2) A qualifying period, which may be discontinuous, comprises every period of a kind described in Schedule 8 excluding any contributions refund period.

(3) If the person—

- (a) was in pensionable employment, or paying contributions for a current period under regulation 27 of the 1977 Regulations on 6th April 1988; or
- (b) entered pensionable employment after 6th April 1988 without having been in such employment before that date,

any qualifying period of 2 years is an appropriate one.

(4) If paragraph (3) does not apply but the person was in pensionable employment before 6th April 1988 and subsequently entered pensionable employment again after that date, any qualifying period of—

- (a) two years beginning on or after 6th April 1988; or
- (b) such period beginning on or after 6th April 1988 as will, when taken with every period before 6th April 1988 of a kind described in Schedule 4 to the 1977 Regulations, amount to 5 years whichever is the shorter, is an appropriate one.

(5) For the purposes of paragraph (4) any period of the kind described in paragraph 3 of Schedule 8 (transfer value accepted) shall be treated as having begun after 5th April 1988.

(6) Notwithstanding that an appropriate qualifying period has not been completed, a person is qualified for retirement benefits—

- (a) subject to paragraph (7), if he has a guaranteed minimum in relation to benefits under these Regulations; or
- (b) if a transfer value was paid in respect of him by the Department to the superannuation scheme of the Commission of the European Communities and one has since been received by the Department from that scheme.

(7) If a contributions equivalent premium is paid by the Department, paragraph (6)(a) shall be treated as not having applied.