

General.

37. The school must furnish to the Ministry at such dates as may be prescribed, such attendance books, lists, and other information as may be required by the Ministry.

38. The Ministry may at its discretion withhold or make a deduction from the grant if the conditions laid down in these or other regulations of the Ministry are not fulfilled.

39. The school year is the period from the first day of August in one year to the 31st day of July in the following year.

40. In any case of doubt or difficulty as to the construction of these rules, or as to any claim, right or liability thereunder, the decision of the Ministry shall be final.

41. The foregoing regulations will come into operation on the first day of August, 1925, but will not apply to anything in relation to the school year ending 31st July, 1925.

These regulations do not apply to Junior Technical schools.

Given under the Seal of the Ministry of Education for Northern Ireland, this 4th day of March, 1925.

(L.S.)

L. M'Quibban,
Secretary.

Superannuation Scheme for Secondary and Preparatory Teachers.

MADE BY THE MINISTRY OF FINANCE FOR NORTHERN IRELAND, UNDER SECTIONS 70 AND 71 OF THE EDUCATION ACT (NORTHERN IRELAND), 1923, AFTER CONSULTATION WITH THE MINISTRY OF EDUCATION FOR NORTHERN IRELAND.

1925. No. 29.*

APPLICATION OF SCHEME, ETC.

Effect, Short Title, and commencement of Scheme.

1. This Scheme shall apply to teachers in Secondary and Preparatory Schools in Northern Ireland and may be cited as the Teachers (Secondary and Preparatory) Superannuation Scheme, 1925, (hereinafter referred to as "the Scheme").

Definitions.

2. In the Scheme "The Ministry" shall mean the Ministry of Finance for Northern Ireland, and "the Ministry of Education" shall mean the Ministry of Education for Northern Ireland.

The expression "The Education Act" shall mean the Education Act (Northern Ireland) 1923.

The expression "teacher" shall include all full time teachers who have been recognised as Secondary or Preparatory teachers for the purpose of the Regulations dated 16th October, 1923,

*In substitution for No. 57 of 1924.

made by the Ministry of Education under Section 99 (2) of the Education Act, or who may be hereafter so recognised under the said or any amending Regulations (hereinafter referred to as the Salary Regulations.)

The expression "authorised teacher" shall mean a teacher to whom the scales of salary provided in the Salary Regulations are applicable.

The expression "supernumerary teacher" shall mean a teacher to whom the minimum rates of annual remuneration provided in the Salary Regulations are applicable.

The expression "existing teacher" shall mean a teacher in respect of whom a period of non-contributing service is recognised, and who is entitled to salary at the date of signing of the Scheme, and the expression "approved-service teacher" shall mean a teacher not so entitled but who becomes so entitled within five years of the respective operative dates and is admitted to the Scheme.

Subject to the special provisions of Article 18 the expression "service" shall mean any period during which a teacher, after he attains the age of twenty-one, is in receipt of salary.

The expression "contributing service" shall mean any period during which a teacher is liable to pay contribution as hereinafter provided.

The expression "non-contributing service" shall mean such period of teaching employment prior to the date on which the teacher is first admitted to the Scheme as would be recognised as past service in placing a teacher at his position in the Salary Scale under the Salary Regulations and the Salary Regulations shall, for this purpose only, be construed as applying equally to supernumerary and to authorised teachers.

The expression "salary" shall mean the salary allowed to the teacher under the scale or scales approved by the Ministry of Education, but in the case of a supernumerary teacher shall be the actual yearly sum received by him from the school authority in respect of his services as a teacher provided that it does not exceed the scale of salary which in the opinion of the Ministry of Education is applicable to an authorised teacher having the same qualifications and service and performing similar or analogous duties, provided also that it shall be permissible to make an addition not exceeding £50 per annum to such actual sum if board and lodging are provided by the school authority.

The expression "operative dates" shall mean the respective dates from which the Scheme takes effect as provided in Article 23.

PAYMENT OF TEACHERS' CONTRIBUTIONS.

3.—(1) Every payment of salary to a teacher from the date of admission to the scheme shall be liable to a reduction of a sum equal to 4 per cent. thereof as a contribution towards the provision of pensions (to be called the Teachers' Contribution.)

Deductions on account of contributions for pension.

(2) All contributions under this or the article following which are not an exact multiple of 1d. shall be calculated to the next larger multiple of 1d

(3) A contribution shall not become due until the end of the quarter or other period for which the salary is payable out of which the deduction is to be made.

FORMATION OF SECONDARY TEACHERS' SUPERANNUATION FUND.

Constitution of Fund.

4. There shall be constituted a Fund under the control and management of the Ministry to be called "The Secondary Teachers Superannuation Fund, Northern Ireland," to which the following amounts shall be paid:—

- (1) All amounts received from teachers in the form of pension contributions, or refunds (with interest) of repaid contributions.
- (2) An amount (to be called the School Contribution) equal to $2\frac{1}{2}$ per cent. of each teacher's salary to be paid by deduction annually or otherwise as may be determined from any grant payable by the Ministry of Education to the school authority by whom the teacher has been employed ;
- (3) An amount (to be called the State Contribution) equal to $2\frac{1}{2}$ per cent. of each teacher's salary to be paid from monies voted annually by Parliament ;
- (4) All dividends and interest arising in each year out of the investment or use of the Superannuation Fund or any part thereof ;
- (5) Such further sums as may be provided by Parliament.

Charges on Fund.

5. On the Fund so constituted shall be charged payments incurred in respect of benefits to teachers under this Scheme.

Actuarial Examination.

6. Within two years of the date of the making of the Scheme the Ministry shall cause the condition of the Fund to be investigated by an Actuary, who shall make an actuarial valuation of the assets and liabilities thereof, and the like investigation and valuation shall be made at least once in every five years thereafter.

CONDITIONS OF ADMISSION TO SCHEME.

Age of admission to Scheme.

7.—(1) No teacher shall on his first admission to the Scheme be less than twenty-one years of age or more than thirty years, provided, however, that a person between the age of 30 and 45 may be admitted if the Ministry of Education are satisfied that since he reached the age of 30 he has been continuously employed in educational institutions of appropriate standing. Each teacher will be required to satisfy the Ministry of Education as to his physical fitness.

(2) Teachers who having interrupted their service resume after a period not exceeding 10 years may be re-admitted to the Scheme on the recommendation of the Ministry of Education.

GRANT OF PENSIONS.

8. At any time after reaching the age of sixty years any teacher may retire at his own request or may be called on by the Ministry of Education to retire, and on so retiring he shall be entitled to such pension as by the length of his service he is qualified to receive. Retirement shall be compulsory for every teacher on attaining sixty-five years of age.

Retiring age.

9.—(1) The pension to be granted to a teacher on retiring shall be for each completed year of service at the rate of one-eightieth of the average annual salary paid to him for the three years immediately preceding the date of retirement but no pension shall be greater than forty-eightieths of such average annual salary. A supernumerary teacher may have his salary calculated on the average of a greater number of years than three if the Ministry so decide in any case.

Amount of Pension.

(2) All pensions which are not an exact multiple of four in pence shall be increased to the next larger multiple of four in pence.

10.—(1) Where a teacher on leaving the service claims a pension, notice of his claim must be given to the Ministry within one year of the date on which he leaves the service, but if the teacher is of unsound mind, or otherwise unable in the opinion of the Ministry to make the claim himself, notice of the claim may be given by any other person on his behalf. If such notice is not given, the teacher shall forfeit his right to pension, but if he would save for the failure to give notice be entitled to receive a pension, he shall be entitled to repayment out of the Fund of the amount of premiums paid by him with compound interest thereon at the rate of 3 per cent. per annum. The Ministry may extend the time within which notice of claim for a pension may be given; provided that in their opinion reasonable cause has been shown for the omission to give notice.

Notice of Claim, etc.

(2) Pensions shall accrue from day to day, but any sum due on account of a pension shall not be payable until the quarter day following the date on which it becomes due unless, in the case of a death of a teacher to whom a sum is so due, earlier payment is authorised by the Ministry.

(3) The quarter days for the purpose of this article shall be the 31st day of December, 31st day of March, 30th day of June, and 30th day of September, in each year.

11.—(1) No pension shall be granted to a teacher under the Scheme unless he has served for not less than ten years, and

Conditions of grant of pension or gratuity.

(a) has attained the age of 60 ; or

- (b) the Ministry of Education and the Ministry are satisfied that while actually serving as a teacher he has become incapable from infirmity of mind or body of discharging the duties of a teacher, and that such incapacity is likely to be permanent ; or
- (c) having attained the age of 50 he ceases to receive salary on the ground of his inability to discharge the duties of a teacher efficiently and the Ministry consider that the circumstances of the case justify the grant of a pension.

Should a teacher retire through disability before completing 10 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 three years immediately preceding the date of retirement, and the provisions of article 9 in regard to supernumerary teachers may similarly apply.

(2) A pension or gratuity granted to any teacher who has become incapable from any infirmity of mind or body of discharging the duties of a teacher shall be less, by so much as the Ministry think fit, than the amount provided by Article 9 or by this Article, if such infirmity has been wholly or in part caused by his own misconduct or default.

(3) Where a pension has been granted to a teacher who has not attained the age of 50, it shall, until he has attained that age, be reconsidered at such intervals as the Ministry may direct, and the Ministry may suspend or determine the pension if they are satisfied that the teacher is no longer incapable from infirmity of body or mind of discharging the duties of a teacher.

(4) For the purpose of the reconsideration of a pension under this article, the teacher shall furnish to the Ministry such medical evidence, and shall submit to such medical examination as the Ministry may require, and if the requirements of this Article are not complied with, the Ministry may suspend or determine the pension as they think fit.

Repayment of contributions to teachers who fail to qualify for the grant of a pension.
Re-employment.

12.—(1) In the event of the retirement or dismissal of a teacher who has been excluded by the provisions of Article 11 from the award of a pension or gratuity all contributions made by the teacher to the Fund shall be returned to him, on his making application for such repayment.

(2) In the event of his re-employment as a teacher the teacher may within such period as the Ministry may determine refund the amount so repaid, together with compound interest thereon at the rate of 4 per cent. calculated from the date of such repayment ; and his service prior to retirement or dismissal shall be reckoned as service for the purpose of this Scheme. Provided that if such teacher does not so pay such sum and interest as aforesaid, he shall be regarded for the purposes of this Scheme as a new entrant.

13.—(1) In the event of the death of a teacher before he has completed ten years service all contributions made by him to the Fund will be paid, together with compound interest thereon at the rate of 3 per cent., to his legal personal representative.

Provision on the death of serving teacher.

(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 an amount equal to one year's salary of the teacher, such year's salary to be the average salary paid or payable to the teacher during the three years immediately preceding his decease, or a repayment of all contributions paid by the teacher to the Fund, together with compound interest thereon at the rate of 3 per cent. whichever amount is the greater.

14. Where a teacher having retired with a pension is re-employed as a teacher, his pension shall cease, and his service prior to retirement shall be reckoned as service for the purpose of the Scheme, provided however, that no fresh grant of a pension shall be of less amount than that of which he was in receipt at the date of re-entry.

Re-entry of Pensioned Teachers.

15. Where a teacher who has become entitled to a pension at any date from and after the date of commencement of his pension dies, and the amount received by him by way of pension is less than the amount which would have been paid to his legal personal representative had the teacher died at the date of his retirement, the amount of the difference shall be paid out of the Fund to such legal personal representative.

Payments to be made on the death of a pensioner.

(2) Where a teacher having been in receipt of a pension from the Fund, is re-employed as a teacher, and dies whilst re-employed, the amount of premiums repayable to his legal personal representative shall be reduced by the amount which the teacher has received as pension.

16. Where on the death of a teacher any sum is due to his estate on account of any pension or repayment of premiums, the Ministry may, if probate or other proof of the title of the legal personal representative is not produced to them, pay the sum due to or distribute amongst the persons appearing to them to be beneficially entitled to the personal estate of the teacher; and the Ministry shall be discharged from any liability in respect of such payment or distribution.

Repayments in default of legal representatives.

17. Where the Ministry are satisfied by the certificate of a fully qualified medical practitioner and such other information as they may consider necessary that a teacher in receipt of a pension is of unsound mind, or otherwise incapable of giving a receipt, the Ministry may pay any sum due on account of any such pension partly to the Institution or person having care of the teacher, and partly for the benefit of the dependents of the teacher, in such proportion and in such manner as the Ministry think fit, and the Ministry shall be discharged from any liability in respect of any sums so paid.

Pensioner incapable of giving a receipt.

TRANSITIONAL PROVISIONS FOR EXISTING AND APPROVED
SERVICE TEACHERS.

Pensionable
Service.

18. In the case of existing and approved-service teachers any period of non-contributing service shall for the purpose of the scheme be reckoned as one-third of its actual duration save that for the purpose of Article 22 the actual duration shall not be so reduced.

Average
Salary.

19. For the average annual salary paid in the three years immediately preceding retirement or death, there shall be substituted, for the purposes of the Scheme, in the case of an existing or approved-service teacher who retires or dies within three years from the date of admission to the Scheme, the annual rate of salary over such shorter period as the Ministry may determine.

Medical
Fitness.

20. Existing teachers who are 30 years of age or over at the operative dates will not be required to submit to any test of physical fitness. An existing teacher who is under 30 years of age on the operative dates and is found to be medically unfit, shall be exempt from the payment of premiums and shall have no rights under the Scheme.

Age Limit.

21. Existing teachers who are over 50 years of age on the operative dates and whose service continues to be efficient shall not be required to retire only by reason of age, until they have reached the age of 70, or until 15 years after the respective operative dates, whichever is the earlier.

Minimum
Pension.

22.—(1) Where an existing male teacher who retires before 1st August, 1932, would under the conditions of the Scheme, receive a pension of less than £120 per annum, the Ministry may substitute for such pension either a pension of £120 or a pension calculated on the basis of the sum of £3 in respect of each completed year of non-contributing and contributing service taken together, whichever is the less.

(2) Where an existing female teacher who retires before 1st August, 1932, would, under the conditions of the Scheme, receive a pension of less than £90 per annum, the Ministry may substitute for such pension either a pension of £90 or a pension calculated on the basis of the sum of £2 5s. in respect of each completed year of non-contributing and contributing service taken together, whichever is the less.

DATE OF OPERATION.

23. The Scheme shall come into operation with effect from the 1st day of August, 1922, in the case of Teachers in Secondary Schools, and from the 1st day of August, 1923, in the case of teachers in Preparatory Schools, or in the Preparatory Departments of Secondary Schools. Payment of the Teacher's Contributions and of the School Contribution in

respect of the period between the operative dates, and the date of the approval of the Scheme by Order in Council shall be made in such manner and at such times as the Ministry may determine.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 11th day of March, 1925, in the presence of

G. C. Duggan,

Assistant Secretary.

(L.S.)

Superannuation Scheme for Lay Assistant Teachers and Junior Assistant Mistresses in Public Elementary Schools.

MADE BY THE MINISTRY OF FINANCE FOR NORTHERN IRELAND, UNDER SECTION 70 OF THE EDUCATION ACT, NORTHERN IRELAND, 1923, AFTER CONSULTATION WITH THE MINISTRY OF EDUCATION FOR NORTHERN IRELAND.

1925. No. 30.

1. The Irish Teachers' Pension Rules, 1914, and amending Rules (hereafter referred to as the Principal Rules) made under Section 11 of the National School Teachers' (Ireland) Act, 1879, shall, subject to the conditions hereinafter provided, be deemed to apply as from 1st February, 1922, to the following classes of Teachers in Public Elementary Schools in Northern Ireland:—

- (a) Recognised Lay Assistant Teachers (hereinafter referred to as Lay Assistant Teachers) who are in receipt of personal salaries from the Ministry of Education and who are employed in Convent Public Elementary Schools where the members of religious orders who are engaged in teaching in such schools are paid by capita-tion grants :
- (b) Junior Assistant Mistresses.

2.—(a) Any such teacher who was serving in either of the above-mentioned capacities in a national school in Northern Ireland on the 1st February, 1922, or who having so served in a national school situated outside the Northern Ireland area, is before 1st February, 1927 accepted in either of such capacities by the Ministry of Education for Northern Ireland, shall be entitled to have reckoned, for purposes of superannuation, one-third of the actual duration of any period of recognised service in Ireland prior to 1st February, 1922, or to the date of such admission as the case may be, and the word "service" where it occurs in the Principal Rules shall, in respect of such period be interpreted accordingly.