

SCHEDULE II
(REGULATION 7 (1))

REDUCTIONS TO BE MADE IN THE ANNUAL PENSION PAYABLE TO EXISTING TEACHERS AT
THE AGE OF 65 IN THE CASE OF MEN AND 60 IN THE CASE OF WOMEN.

Age of existing teacher at date of modification	Yearly reduction of annual pension for each completed year of contributing service after date of modification					
	MEN			WOMEN		
Column 1	Column 2			Column 3		
	£	s.	d.	£	s.	d.
20 or under ...	1	14	0	1	14	0
1 ...	1	13	0	1	12	0
2 ...	1	12	0	1	10	6
3 ...	1	11	0	1	9	0
4 ...	1	10	0	1	7	6
25 ...	1	9	6	1	6	0
6 ...	1	9	0	1	4	6
7 ...	1	8	6	1	3	6
8 ...	1	8	0	1	2	6
9 ...	1	7	0	1	1	6
30 ...	1	6	6	1	0	6
1 ...	1	6	0		19	6
2 ...	1	5	6		19	0
3 ...	1	5	0		18	6
4 ...	1	4	6		18	0
35 ...	1	4	0		17	6
6 ...	1	3	6		17	0
7 ...	1	3	0		16	6
8 ...	1	2	6		16	0
9 ...	1	2	0		15	6
40 ...	1	1	6		15	0
1 ...	1	1	6		14	6
2 ...	1	1	0		14	6
3 ...	1	0	6		14	0
4 ...	1	0	0		14	0
45 ...		19	6		13	6
6 ...		19	0		13	0
7 ...		19	0		13	0
8 ...		18	6		12	6
9 ...		18	6		12	6
50 and over ...		18	6		12	0

Unestablished Service

REGULATIONS DATED 31ST JANUARY, 1948, MADE BY THE MINISTRY OF
FINANCE UNDER SECTION 3 OF, AND THE SECOND SCHEDULE TO, THE
SUPERANNUATION ACT (NORTHERN IRELAND), 1947 (a).

1948. No. 30

The Ministry of Finance (in these Regulations referred to as "the

(a) 1947. c. 18.

Ministry"), in exercise of the powers conferred upon it by Section 3 of, and paragraph 3 of the second Schedule to, the Superannuation Act (Northern Ireland), 1947, and of all other powers enabling it in that behalf, hereby makes the following regulations :—

1.—(1) These regulations may be cited as the Superannuation (Unestablished Service) Regulations (Northern Ireland), 1948.

(2) References in these Regulations to any enactment shall be construed, except where otherwise stated, as references to that enactment as amended by any subsequent enactment or regulation.

(3) Subject as aforesaid the Interpretation Act, 1921, (a) shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

2. Subject to the provisions of these Regulations, sub-section (1) of Section three of the Superannuation Act (Northern Ireland), 1935 (b) (which provides, in the case of persons entering on service in an unestablished capacity after the 16th December, 1935, and subsequently becoming civil servants, that their service in an unestablished capacity shall, as to one-half of the period thereof, be reckoned for the purposes of the Superannuation Acts as service as a civil servant) shall extend and the relevant provisions of these Regulations shall apply to any person whose continuous service in an unestablished capacity began before the 17th December, 1935, and who immediately upon the termination of such continuous service became or becomes a civil servant.

Provided that that person is not a person in respect of whose service in a temporary capacity the Ministry, by virtue of Section three of the Superannuation Act, 1887 (c) has made or may make an award more favourable than an award that, but for this proviso, it would be empowered to make under these Regulations in respect of the said continuous service of that person.

3.—(1) Subject to the provisions of these Regulations, any person to whom the provisions of Section three of the Superannuation Act (Northern Ireland) 1935, either as originally enacted or as extended by the last foregoing Regulation would have applied but for the fact that he was refused appointment as a civil servant on the ground that by reason of his age he would not if appointed a civil servant have become eligible to receive a superannuation allowance on retirement at the retiring age, shall be treated, for the purposes of the Superannuation Acts, as if he had been appointed a civil servant on the day when, but for the existence of that ground, he would have been so appointed and the said Section three as extended as aforesaid and the relevant provisions of these Regulations shall apply to that person accordingly.

(2) Any award under the Superannuation Acts to a person referred to in the last foregoing paragraph of this Regulation, being a

(a) 12 Geo. 5. c. 4 (N.I.) (b) 26 Geo. 5. and 1 Edw. 8. c. 2.
(c) 50 & 51 Vict. c. 67.

female person who, under that paragraph, falls to be treated as if she had been appointed a civil servant on a date before the 17th December, 1935, shall be calculated in accordance with the provisions of the Superannuation Act, 1859 (a) provided that if that person elects, within three months of the sending to her of a notice of election, that the said award shall be calculated in accordance with the provisions of the Superannuation Act, 1909 (b) the award shall be so calculated, and the amount of additional allowance payable on retirement shall be increased by one half per cent. in respect of each completed year before the said 17th December which may be reckoned, for the purposes of the Superannuation Acts, as service in the capacity of a civil servant.

(3) No election under this Regulation shall be made in respect of the service of a deceased person.

(4) Elections made under this Regulation shall be made in the manner approved by the Ministry for that purpose or in a manner similar thereto.

4.—(1) Directions of the Ministry under sub-section (2) of the said Section three of the Superannuation Act (Northern Ireland), 1935, shall apply for the purpose of computing the service in an unestablished capacity of any person to whom these Regulations apply.

(2) The method of computing awards set out in Section four of the Superannuation Act (Northern Ireland), 1935, shall apply to awards granted by virtue of these Regulations other than awards under the Superannuation Act, 1859, to persons referred to in paragraph (2) of the last foregoing Regulation.

5.—(1) Subject to the provisions of these Regulations, payment of any sum awarded by virtue of these Regulations shall be made to the person entitled to the payment of any award specified in the next following paragraph at the date of the retirement or death of the officer in respect of whose service the award is or was payable (which officer is hereinafter in this Regulation referred to as "the pensioner"), but if that person is dead or, within six months or such longer period as the Ministry may, in any particular case, determine after the making of an award under these Regulations, cannot be found, payment shall be made

- (a) to the pensioner's wife (including a dependant of the pensioner not married to him but living with him as his wife) or husband, as the case may be, but if there is no such person, then
- (b) to and among the children or grandchildren of the pensioner but if there are no such children or grandchildren, then
- (c) to and among the parents or grandparents if then living of the pensioner,

so however, that the Ministry may, in any case the circumstances of which appear to it to be exceptional, whether for reasons of hardship

or otherwise, make any such payment to or among any of the persons referred to in sub-paragraphs (a), (b) and (c) of this paragraph or any other person appearing to it to be or to have been a dependant of the pensioner.

(2) The awards referred to in the last foregoing paragraph are :

- (a) additional allowances under Section one of the Superannuation Act, 1909 ;
- (b) death gratuities under Section two of the Superannuation Act, 1909 ;
- (c) short service gratuities under Section six of the Superannuation Act, 1859 ;
- (d) compassionate gratuities under Section four of the Superannuation Act, 1887 ;
- (e) gratuities under Section six of the Superannuation Act (Northern Ireland), 1947.

(3) Subject to the provisions of these Regulations, any superannuation allowance payable by virtue of these Regulations shall be payable from the 1st April, 1946, or from such later date as, in accordance with the provisions of these Regulations, a person becomes entitled thereto.

6.—(1) Where any person to whom these Regulations apply has retired, and by virtue of these Regulations, is granted any annual superannuation, compensation or retiring allowance under the Superannuation Acts, that person may not, in pursuance of the provisions of Section two of the Superannuation Act (Northern Ireland), 1935, surrender any part thereof to any other person.

(2) Where any person to whom these Regulations apply is in receipt of any annual superannuation, compensation or retiring allowance granted to him under the Superannuation Acts, and has surrendered any part thereof pursuant to the provisions of Section two of the Superannuation Act (Northern Ireland), 1935, and where by virtue of these Regulations that person is granted any further such allowance, there shall be no adjustment of the part of the allowance so surrendered.

7. Where any person to whom these Regulations apply has received a compassionate gratuity under Section four of the Superannuation Act, 1887, or a gratuity under Section six of the Superannuation Act, 1859, or an additional allowance under sub-section (2) of Section one of the Superannuation Act, 1909, or a gratuity under Section six of the Superannuation Act (Northern Ireland), 1947, and is thereafter by virtue of these Regulations granted an award under the Superannuation Acts that award shall be adjusted by the deduction therefrom of the amount of the said gratuity or allowance and no payment shall be made in respect of the said award unless, and until the amount which but for

the provisions of this paragraph would have been payable in respect of the said award exceeds the amount of the said gratuity or allowance.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 31st day of January, 1948, in the presence of

(L.S.)

J. A. McKeown,
Second Secretary.

War Service

REGULATIONS DATED 31ST DECEMBER, 1948, MADE BY THE MINISTRY OF FINANCE UNDER SUBSECTION (2) OF SECTION ONE OF THE SUPER-ANNUATION ACT (NORTHERN IRELAND), 1947.

1948. No. 338

The Ministry of Finance (hereinafter referred to as "the Ministry"), in exercise of the powers conferred by subsection (2) of Section 1 of the Superannuation Act (Northern Ireland), 1947 (a), (hereinafter referred to as "the Act"), and of all other powers enabling it in that behalf, hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Superannuation (War Service) Regulations (Northern Ireland), 1948.

(2) The Interpretation Act, 1889 (b), as applied to Northern Ireland by the Interpretation Act, 1921 (c), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

2. In these Regulations —

(1) "war service" means whole time service on or after the 3rd day of September, 1939, in the armed forces of the Crown, in the Merchant Navy or the Mercantile Marine, or in any of the Women's Services specified in the First Schedule to the Act;

(2) "non-effective pay" includes Naval, Military or Air Force pensions, retired pay and gratuities (other than war gratuities to which Section 23 of the Finance (No. 2) Act, 1945 (d), which exempts war gratuities from income tax, applies).

(3) "excess remuneration" means in relation to a retired officer, of the armed forces of the Crown who is re-employed in those forces, any service pension drawn in respect of such period of re-employment or any addition to the normal pay attaching to the post in which the officer is re-employed which is granted by reason of the officer's former employment in those forces;

(4) "prescribed" means prescribed by the Ministry.

(a) 1947 c.18. (b) 52 & 53 Vict. c.63. (c) 12 Geo. 5 c.4.(N.I.)
(d) 9 & 10 Geo. 6 c.13: