

1972. No. 42

[C]

EDUCATION

**Increase of Pensions (Teachers' Family Benefits) Regulations
(Northern Ireland) 1972**

REGULATIONS, DATED 17TH FEBRUARY 1972, MADE BY THE MINISTRY OF EDUCATION UNDER SECTION 5(3) OF THE PENSIONS (INCREASE) ACT (NORTHERN IRELAND) 1971 WITH THE CONSENT OF THE MINISTRY OF FINANCE.

The Ministry of Education, with the consent of the Ministry of Finance, in exercise of the powers invested in it by Section 5(3) of the Pensions (Increase) Act (Northern Ireland) 1971(a), hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Increase of Pensions (Teachers' Family Benefits) Regulations (Northern Ireland) 1972 and shall be deemed to have come into operation on 1st September 1971.

Interpretation

2. In these Regulations, unless the context otherwise requires:—

“the Act” means the Pensions (Increase) Act (Northern Ireland) 1971;

“the Rules” means the Teachers' Superannuation (Family Benefits) Rules (Northern Ireland) 1967(b).

Modification of Act

3. In relation to pensions payable under the Rules the provisions of the Act are hereby modified so that the annual rate thereof may, instead of being increased in accordance with those provisions, be increased as in these Regulations provided.

Widow's pension

4.—(1) Except as in paragraph (2) and in regulation 7 provided, the increase in the minimum annual amount of a widow's pension specified in either sub-paragraph (a) or sub-paragraph (b) of rule 45(1) shall, if the pension began on or before 1st April 1971, be such as will make that amount £132 in respect of any period beginning on or after 1st September 1971.

(2) Paragraph (1) shall not apply in relation to any widow's pension if the annual amount thereof, as determined under paragraph (2) or paragraph (3) of rule 45 and increased in accordance with the provisions of the Act, would exceed £132.

Short service widow's pension

5. Except as in regulation 7 provided, the increase in the annual amount of a short service widow's pension which began on or before 1st April 1971 and is payable in a case specified in either paragraph (a) or paragraph (b) of

(a) 1971. c. 35 (N.I.).

(b) S.R. & O. (N.I.) 1967, No. 124, as amended by 1968, No. 198; 1969, No. 218; 1969, No. 339; 1971, No. 141.

rule 48 shall, in respect of any period beginning on or after 1st September 1971, be the amount which, opposite to the number of years of service counting for benefit of her husband specified in column (1) of the following Table, is specified—

(a) in column (2) thereof in a case specified in the said paragraph (a); and

(b) in column (3) thereof in a case specified in the said paragraph (b):—

TABLE

(1) <i>Years of Service</i>	(2) <i>Increase (Rule 48(a))</i>	(3) <i>Increase (Rule 48(b))</i>
3	£ 8	£3
4	£ 9	£4
5	£10	£4
6	£12	£5
7	£13	£5
8	£15	£6
9	£16	£6

Children's pension

6. Except as in regulation 7 provided, the increase in the annual amount of a children's pension which began on or before 1st April 1971 and is payable in a case to which either sub-paragraph (a) or sub-paragraph (b) of rule 51(1) applies shall, in respect of any period beginning on or after 1st September 1971, be the amount which, opposite to the number of eligible children to or in respect of whom it is for the time being payable specified in column (1) of the following Table, is specified in column (2) or column (3) thereof, whichever column shall for the time be appropriate—

(a) under letter A, in a case to which the said sub-paragraph (a) applies; and

(b) under letter B, in a case to which the said sub-paragraph (b) applies:—

TABLE

(1) <i>Number of eligible children</i>	(2) <i>Increase where there is a surviving widow of the contributor or deceased teacher</i>		(3) <i>Increase where there is not a surviving widow of the contributor or deceased teacher</i>	
	A	B	A	B
1	£ 8	£ 3	£15	£ 5
2	£17	£ 7	£25	£10
3	£25	£10	£35	£15
4 or more	£33	£13	£51	£21

Increases in respect of English and Scottish contributors

7.—(1) Except as in paragraph (2) provided, in a case to which rule 53 applies the increase in—

- (a) the minimum annual amount of a widow's pension specified in either sub-paragraph (a) or sub-paragraph (b) of rule 45(1);
- (b) the annual amount of a short service widow's pension payable in a case specified in either paragraph (a) or paragraph (b) of rule 48; and
- (c) the annual amount of a children's pension payable in a case to which either sub-paragraph (a) or sub-paragraph (b) of rule 51(1) applies

being a pension which began on or before 1st April 1971, shall, in respect of any period beginning on or after 1st September 1971, be the amount which bears to the amount of the increase of such a pension under regulation 4, 5 or 6, as the case may be, the same proportion as that specified in rule 53 for the purpose of calculating the annual amount thereof.

(2) Paragraph (1) shall not apply in relation to any widow's pension if the annual amount thereof, as determined under paragraph (4) or paragraph (5) of rule 45 and rule 53 and increased in accordance with the provisions of the Act, would exceed the annual amount thereof as increased under paragraph (1).

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 17th day of February 1972.

(L.S.)

A. Howard,
Assistant Secretary.

The Ministry of Finance hereby consents to the foregoing Regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 17th day of February 1972.

(L.S.)

R. M. MacDonald,
Assistant Secretary.

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations apply to a widow's pension, a short service widow's pension and a children's pension payable under the Teachers' Superannuation (Family Benefits) Rules (Northern Ireland) 1967 where the service of the deceased teacher in respect of which such a pension is payable ended on or before 1st April 1971. Instead of being increased in accordance with the Pensions (Increase) Act (Northern Ireland) 1971, from 1st September 1971 the minimum annual amount of the widow's pension is raised to £132 and the annual amounts of the other pensions by the amounts specified.

Where the deceased teacher also had service in England and Wales or Scotland, the increase is limited to the amount which bears the same proportion to the total increase otherwise authorised as his contributions in respect of his service in Northern Ireland bears to his total contributions.

The Regulations have retrospective effect which is provided for in section 5(4) of the Pensions (Increase) Act (Northern Ireland) 1971.

1972: Nos: 43, 44, 45

These Orders have been exempted from printing by the Statutory Rules Act (Northern Ireland) 1958. Summaries are given in the List of Statutory Rules and Orders of a Local Character under the heading ROADS.