1973. No. 61 **[C]**

EDUCATION

Increase of Pensions (Teachers' Family Benefits) Regulations 1973

REGULATIONS, DATED 8TH MARCH 1973, 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 on behalf of the Secretary of State in exercise of the powers conferred upon it by section 5(3) of the Pensions (Increase) Act (Northern Ireland) 1971(**a**) and with the consent of the Ministry of Finance, hereby makes the following Regulations:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Increase of Pensions (Teachers' Family Benefits) Regulations (Northern Ireland) 1973.

(2) These Regulations shall be deemed to have come into operation on 1st December 1972.

(3) In these Regulations, unless the context otherwise requires—

"the Act" means the Pensions (Increase) Act (Northern Ireland) 1971, as amended(**b**);

"the rules" means the Teachers' Superannuation (Family Benefits) Rules (Northern Ireland) 1972(**c**) as amended(**d**) and any reference to a rule shall be construed accordingly.

Modification of Act

2.—(1) Subject to the provisions of these Regulations the annual rate of any pension payable under the rules which began before 2nd July 1972 may be increased in accordance with the provisions of these Regulations and not in accordance with the provisions of the Act.

(2) For the purposes of any order made under section 2 of the Act after the commencement of these Regulations, section 15(1) of the Act shall, in its application to any pension to which these Regulations apply, have effect as if the expression "basic rate" were defined as meaning the rate which, if it were increased in accordance with the Act and the Pensions Increase (Annual Review) Order (Northern Ireland) 1972(**e**) would produce the amount of that pension as determined in accordance with these Regulations.

Widow's pension

3.—(1) Subject to paragraph (2) and regulation 6 below, the increase in the annual amount of a widow's pension specified in rule 48 shall be such as will make that amount £161·56.

(2) Paragraph (1) shall not apply in relation to any widow's pension if the annual amount, as determined under paragraph (4) or (5) of rule 48 and increased in accordance with the provisions of the Act, will exceed £161·56.

(**a**) 1971. c. 35 (N.I.).
(**b**) S.I. 1972, No. 1073 (N.I. 10).
(**c**) S. R. & O. (N.I.) 1972, No. 82.
(**d**) S. R. & O. (N.I.) 1972, No. 125; 1972, No. 246; 1973, No. 32.
(**e**) S. R. & O. (N.I.) 1972, No. 263.

Short service widow's pension

4. Subject to regulation 6 below, the increase in the annual amount of a short service widow's pension payable in a case specified in rule 51 shall be such as will make it the amount which is specified in column (2) of the following table against the entry in column (1) which specifies the number of years of service counting for benefit of her husband.

(1) *Years of service*	(2) *Annual amount*
3	£82·36
4	£95·04
5	£104.54
6	£117.22
7	£129·89
8	£139·39
9	£152·06

Children's pensions

5. Subject to regulation 6 below, the increase in the annual amount of a children's pension payable in a case to which rule 54(1) applies shall be such as will make it the amount specified in whichever of column (2) or (3) of the following table is for the time being appropriate against the entry in column (1) which specifies the number of eligible children to or in respect of whom the pension is for the time being payable.

(1) *Number of eligible children*	(2) *Annual amount where there is a surviving widow of the contributor or deceased teacher*	(3) *Annual amount where there is not a surviving widow of the contributor or deceased teacher*
1	£88·70	£126·72
2	£158·40	£237·60
3	£231·26	£348·48
4 or more	£300·96	£472·03

Increase in respect of contributors under external schemes

6.—(1) As regards any pension to which rule 56 applies, paragraph (1) of that rule shall, subject to paragraph (2) below, apply with the necessary adaptations for the modification of any increase payable by virtue of these Regulations.

(2) Paragraph (1) shall not apply in relation to any widow's pension if the annual amount, as determined under paragraph (4) or (5) of rule 48 and rule 56 and increased in accordance with the provisions of the Act, will exceed the annual amount as determined under paragraph (1) above.

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 8th day of March 1973.

(L.S.) *E. J. Kirkpatrick,*
Assistant Secretary.

The Ministry of Finance, on behalf of the Secretary of State, hereby consents to the foregoing Regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 8th day of March 1973.

(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 modify the Pensions (Increase) Act (Northern Ireland) 1971 in its application to a widow's pension, a short service widow's pension and a children's pension payable under the Teachers' Superannuation (Family Benefits) Regulations (Northern Ireland) 1972. The Regulations provide for any such pension which began before 2nd July 1972 to be of the amount specified in the Regulations instead of being increased in accordance with the Act and as to the amount which is to be treated as the basic rate for the purposes of any further increase under the Act.

The Regulations have retrospective effect by virtue of section 5(4) of the Pensions (Increase) Act (Northern Ireland) 1971.