

SCHEDULE 2

Regulation B1

PENSIONABLE EMPLOYMENT

PART I

EMPLOYMENTS PENSIONABLE WITHOUT ELECTION

1. Teacher employed by, or in a school or establishment of further education maintained by, a local education authority.
2. Teacher in a special school not maintained by a local education authority.
3. Teacher in a school, other than a special school, in respect of which grants are made by the Secretary of State to the person responsible for its management.
4. Teacher, organiser or supervisor employed—
 - (a) in an independent school which is for the time being recognised by the Secretary of State as a city technology college, or
 - (b) in connection with a proposed independent school the proposals for which are for the time being recognised by the Secretary of State as proposals for a city technology college.
5. Teacher in an establishment providing further education in respect of which grants are made to the governing body by the Secretary of State, by a body to which grants are made by the Secretary of State, or by a local education authority, other than—
 - (a) a university or college of a university,
 - (b) the Royal College of Art, and
 - (c) the Cranfield Institute of Technology.
6. Teacher employed in—
 - (a) a community home within the meaning of Part IV of the Child Care Act 1980(1),
 - (b) a voluntary home as defined in section 56 of that Act(2), or
 - (c) a home of the kind referred to in section 80 of that Act.
7. Teacher employed by a local authority or a voluntary organisation in an establishment which provides facilities under arrangements approved under section 19 of the Children and Young Persons Act 1969(3).
8. Teacher in—
 - (a) a residential care home within the meaning of Part I of the Registered Homes Act 1984, or
 - (b) a mental nursing home as defined in section 22 of that Act,

who at any time before the commencement of Part III of the Mental Health Act 1959(4) was in pensionable employment in a certified institution as defined in section 71 of the Mental Deficiency Act 1913(5).

(1) 1980 c. 5.

(2) Section 56 was amended by the Health and Social Services and Social Security Adjudications Act 1983 (c. 41), Schedule 4, paragraph 38, and by the Registered Homes Act 1984 (c. 23), Schedule 1, paragraph 6.

(3) 1969 c. 54; section 19 was substituted by the Criminal Justice Act 1982 (c. 48), section 21.

(4) 1959 c. 72.

(5) 1913 c. 28.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

9. Teacher in a special hospital provided by the Secretary of State under section 4 of the National Health Service Act 1977(6) (“the 1977 Act”).

10. Teacher employed for the purpose of instructing, training, or superintending the occupation of persons suffering from mental impairment, severe mental impairment, psychopathic disorder or mental illness—

- (a) in a hospital provided by the Secretary of State in accordance with the 1977 Act, or
- (b) by a voluntary organisation to which—
 - (i) contributions are made by a local authority under section 65 of the Health Services and Public Health Act 1968(7), or
 - (ii) facilities are made available under section 23 of the 1977 Act(8), or
- (c) by a local authority in the exercise of its functions under paragraph 2 of Schedule 8 to the 1977 Act(9).

11. Teacher employed by the Field Studies Council.

12. Teacher employed in pursuance of arrangements made by the Secretary of State with the governors of any establishment which by virtue of the European Communities (European Schools) Order 1972(10) has the legal capacities of a body corporate.

13. Organiser employed as a youth and community worker by a local education authority for the purposes of their functions under section 41 or 53 of the Education Act 1944(11).

PART II

EMPLOYMENTS PENSIONABLE ON ELECTION

14. Teacher in an institution for the further education and training of disabled persons.

15. Teacher employed in or in connection with an establishment for providing social or physical training, being training there in respect of which grants are made by the Secretary of State, the Sports Council or the Sports Council for Wales, whose principal duty is to attend the establishment and provide the training or supervise its provision.

16. Teacher employed by the Royal National Institute for the Blind for the purposes of its National Mobility Centre.

17. Teacher employed by the Spastics Society in its Staff Training College.

18. Teacher employed by the Commonwealth Institute.

19. Teacher employed by a person to whom grants are made by either the Secretary of State or a local education authority in respect of expenditure incurred for the purpose for which the teacher is employed.

(6) 1977 c. 49; section 4 was amended by the Mental Health Act 1983 (c. 20), Schedule 4, paragraph 37.

(7) 1968 c. 46; section 65 was amended by the Local Government Act 1972 (c. 70), Schedule 23, by the National Health Service (Reorganisation) Act 1973 (c. 32), Schedule 4, by the Children Act 1975 (c. 72), Schedule 3, by the Adoption Act 1976 (c. 36), Schedule 3, by the National Health Service Act 1977 (c. 49), Schedules 14 and 15, by the Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22), Schedule 2, by the Child Care Act 1980 (c. 5), Schedule 5, and by the Foster Children Act 1980 (c. 6), Schedule 2; and repealed in part by the Education (Work Experience) Act 1973 (c. 23), Schedule 5, by the Adoption Act 1976, Schedule 4, by the National Health Service Act 1977, Schedules 15 and 16, by the Child Care Act 1980, Schedule 6, and by the Local Government Act 1985 (c. 51), Schedule 17.

(8) Section 23 was repealed in part by the Health Services Act 1980 (c. 53), Schedule 7.

(9) Paragraph 2 of Schedule 8 was amended by the Mental Health Act 1983 (c. 20), Schedule 4, paragraph 47.

(10) S.I. 1972/1582.

(11) 1944 c. 31; section 53 was repealed in part by the Education Act 1981 (c. 60), Schedule 7.

20. Organiser employed by—

- (a) the Sports Council, or
- (b) the Sports Council for Wales, or
- (c) any other body, except a local education authority, to which grants—
 - (i) are made by either of those Councils or by a local education authority, or
 - (ii) are or have been made by the Secretary of State,

in respect of expenditure incurred for the purpose for which the organiser is employed.

21. Teacher, supervisor or youth worker employed by the Ministry of Defence in service with the Armed Forces of the Crown or for purposes connected with the Armed Forces, unless—

- (a) the Principal Civil Service Pension Scheme applies to him, or
- (b) he was engaged outside the United Kingdom and had not previously been in other pensionable employment.

22. Services education officer.

23. Organiser employed as a youth and community worker by a body to whom grants are made by a local education authority in the exercise of their functions under section 41 or 53 of the Education Act 1944.

24. Organiser employed by—

the City and Guilds of London Institute,
the Associated Examining Board,
a Regional Advisory Council for Further Education,
the Council for National Academic Awards,
the Business and Technician Education Council,
the Catholic Education Council,
a Roman Catholic Diocesan Schools Commission,
the Spastics Society,
the Royal National Institute for the Blind,
a Diocesan Education Committee established under the Diocesan Education Committees Measure 1955(12),
the National Nursery Examination Board,
the National Society for Promoting Religious Education,
the Independent Schools Careers Organisation,
the Association of Christian Teachers,
the East Midlands Further Education Council,
the Yorkshire and Humberside Association for Further and Higher Education,
the North of England Institute for Christian Education, or
the Field Studies Council.

25. Teacher in a university who—

- (a) was employed as a teacher in an establishment of further education described in paragraph 1 or 5 which has ceased to fall within that description and become part of the university, and

(12) 1955 No. 1.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(b) was so employed immediately before it did so.