

DEPARTMENT OF EDUCATION

**Consultation on the Teachers' (Compensation for Redundancy
and Premature Retirement) Regulations (NI) 2016**

If you require this document in an alternative format e.g. large print, Braille, audio format, easy read or another language, please contact the Pensions Policy Team by any of the following methods.

-  Email: pensionspolicy@deni.gov.uk
-  Direct line: 028 9127 9531
-  Text relay: 18001 028 9127 9279
-  Fax: 028 91279 100

or if you prefer you can write to:

Pensions Policy Team
G2 Annex
Department of Education
Rathgael House
43 Balloo Road
Rathgill
BANGOR
BT19 7PR

October 2015

Introduction

The Department of Education (the Department) intends to make regulations providing for the extension of arrangements for compensation for redundancy and premature retirement by members of the NI Teachers' Pension Scheme (NITPS) to cover members of the new Career Average Revalued Earnings (CARE) scheme introduced in April 2015. The regulations will revoke and replace the Teachers' (Compensation for Redundancy and Premature Retirement) Regulations (NI) 2010 (the 2010 Regulations). The proposed regulations do not change the compensation that employers may pay to members of the Final Salary scheme as set out in 2010 Regulations.

This consultation runs from **27October 2015** until **19 January 2016**

Background

Arrangements currently exist that allow teachers who retire prematurely to have their pension paid early without actuarial reduction and, at the employers' discretion, to be awarded further compensation in the form of an additional service credit ("added years"). These arrangements are known as the Premature Retirement Compensation Scheme (PRCS).

PRCS applies to early retirement (before the NI Teachers' Pension Scheme's normal pension age) by reason of redundancy or in the interests of the efficient discharge of the employer's function. The Regulations also provide arrangements for employers to award discretionary compensation of up to 104 weeks' pay to teachers on termination of employment as an alternative to premature retirement. There are separate provisions for ill-health retirement, to which no change is proposed.

The 2010 Regulations specify how PRCS is applied in the case of members who are covered by the Final Salary scheme established under the Teachers' Superannuation Regulations (NI) 1998. The purpose of the proposed PRCS Regulations is to maintain the arrangements for Final Salary members currently

available under the 2010 Regulations, and to extend similar arrangements to cover members of the CARE scheme.

Proposals

The draft Teachers' (Compensation for Redundancy and Premature Retirement) Regulations (NI) 2016 will replace the 2010 Regulations, and make consequential amendments to the Teachers' Superannuation Regulations (NI) 1998 and the Teachers' Pension Scheme Regulations (NI) 2014. The draft regulations are at Appendix A.

Within the draft Regulations:

Part 2 provides for payment to a teacher of discretionary compensation for redundancy in addition to the teacher's redundancy payment.

Part 3 provides for payment of discretionary compensation to a teacher for termination of employment by reason of redundancy or in the interests of the efficient discharge of the employer's functions.

Part 4 provides for payment of mandatory annual and lump sum compensation and other benefits to or in respect of a teacher for premature retirement by reason of redundancy or in the interests of the efficient discharge of the employer's functions. *Regulation 9* sets out the entitlement to annual compensation. *Regulation 10* provides for the calculation of annual compensation. *Regulation 11* provides for the calculation of lump sum compensation. The remainder of Part 4 makes provision for the payment and calculation of supplementary death grants and short-term family benefits.

Part 5 provides for payment of discretionary annual and lump sum compensation and other benefits to or in respect of a teacher for premature retirement by reason of redundancy or in the interests of the efficient discharge of the employer's functions. *Regulation 17* makes provision as to a deciding authority's discretion to credit a teacher with an additional period of service. *Regulation 18* sets out the entitlement of a credited teacher to discretionary compensation. *Regulation 19* provides the calculation of annual compensation. *Regulation 20* provides the calculation of lump

sum compensation. The remainder of Part 5 provides for payment of short-term and long-term compensation on death.

Part 6 provides for adjustments to be made to payments under the regulations when a redundancy payment, a termination payment or a periodic payment is also made (*regulations 27, 28 and 29*). *Regulation 30* provides for cessation of discretionary annual compensation during new employment.

Part 7 provides for abatement of annual compensation during further employment (*regulation 31*) and for abatement of discretionary annual compensation following termination or redundancy (*regulation 32*).

Part 8 contains miscellaneous provisions regarding liability for and payment of compensation under Parts 4 and 5 (*regulations 33 to 40*) and regarding mandatory compensation for admitted service (*regulation 41*).

Part 9 contains consequential amendments, revocations and transitional provisions.

Equality

The Department remains committed to taking equality considerations into account when developing proposals for the reformed NITPS. The Department carried out a full Equality Impact Assessment (EQIA) in bringing forward the 2010 Regulations and took the results into consideration in finalising the legislation. The policy considerations in respect of PRCS have not changed since the EQIA was completed.

The Department's rationale for replacing the 2010 Regulations is to include members of the new CARE scheme, established as a result of public service pension reform, in PRCS arrangements. The Department consulted on the EQIA on NITPS reform in the autumn of 2014 and the Final EQIA can be found on the Department's website http://www.deni.gov.uk/final_eqia_on_the_proposals_for_the_reform_of_nitps_2015_462kb_.pdf. The EQIA is a live document and will be kept under review to ensure any changes in policy are taken into account. The proposals contained in this consultation have no impact on the outcome of that EQIA.

Responding to this consultation


The Department is carrying out a consultation on the changes proposed and would welcome comments on the proposals and on the draft regulations.

Responses should be sent no later than **19 January 2016** to:

Pensions Policy Team
G2 Annex
Department of Education
Rathgael House
42 Balloo Road
Rathgill
Bangor
BT19 7PR

Telephone: 028 9127 9531

e-mail < > : pensionspolicy@deni.gov.uk

Text relay < >: 18001 028 9127 9279 – for persons who have hearing and/or speech impairment

This document is also available on the Department's Internet site.

CONSULTATION DRAFT OCTOBER 2015

 STATUTORY RULES OF NORTHERN IRELAND

2016 No.

EDUCATION

**The Teachers' (Compensation for Redundancy and
Premature Retirement) Regulations (Northern Ireland)**

2016

Made - - - - - ***

Coming into operation - - - - - ***

The Department of Education makes the following Regulations in exercise of the powers conferred by sections 1 and 3 of and Schedule 3 to the Public Service Pensions Act (Northern Ireland) 2014⁽¹⁾.

In accordance with section 21 of that Act, the Department has consulted the representatives of such persons as appear to it likely to be affected by these Regulations.

In accordance with section 3(5) of that Act the Department of Finance and Personnel has consented to the making of these Regulations.

PART 1

General

Citation and commencement

1. These Regulations may be cited as the Teachers' Pensions (Compensation for Redundancy and Premature Retirement) Regulations (Northern Ireland) 2016 and come into operation on DATE 2016.

Interpretation

2.—(1) In these Regulations—

- (a) any expression which is defined in the 1998 Regulations has the meaning as in those Regulations; and
- (b) any expression which is defined in regulation 3 of the 2014 Regulations has the meaning as in that regulation.

(2) In these Regulations—

"the 1989 Order" means the Education Reform (Northern Ireland) Order 1989;

(1) 2014 c. 2 (N.I.).

"the 1996 Order" means the Employment Rights Order (Northern Ireland) 1996(2);

"the 1998 Regulations" means the Teachers' Superannuation Regulations (Northern Ireland) 1998(3);

"the 1998 scheme" means the scheme established by the 1998 Regulations;

"the 2003 Order" means the Education and Libraries (Northern Ireland) Order 2003(4);

"the 2014 Regulations" means the Teachers' Pension Scheme Regulations (Northern Ireland) 2014(5);

"the 2015 scheme" means the scheme established by the 2014 Regulations;

"adult compensation" has the meaning given in regulation 23;

"appropriate person" means—

- (a) in the case of a teacher who has ceased to be employed at a controlled school, the Education Authority;
- (b) in the case of a teacher who has ceased to be employed at a Catholic maintained school, the Education Authority;
- (c) in the case of a teacher who has ceased to be employed at a maintained primary school, other than a Catholic maintained primary school, the Education Authority or in the case of a voluntary primary school, which is not a maintained school, the manager; and
- (d) in any other case, the person by whom he was formerly employed.

"Catholic maintained school" has the meaning assigned to it by Article 141(3) of the 1989 Order;

"compensating authority" is to be construed in accordance with regulation 33 and Schedule 1;

"the Council" means the Council for Catholic Maintained Schools established by Article 141(1) of the 1989 Order;

"credited teacher" has the meaning given in regulation 17;

"credited period" has the meaning given in regulation 17;

"deciding authority" is to be construed in accordance with regulation 3 and Schedule 1;

"Department" means-

- (a) in the case of a person who, immediately before the material date, was employed by a body which either directly or indirectly receives funds from the Department for Employment and Learning, the Department for Employment and Learning;
- (b) in the case of a person who, immediately before the material date, was employed by the Department of Justice, that Department;
- (c) in the case of a person who, immediately before the material date, was employed by a body which either directly or indirectly received funds from the Department of Culture, Arts and Leisure, the Department of Culture, Arts and Leisure;
- (d) in the case of all other persons, the Department of Education;

"delegated budget", in relation to a school, has the same meaning as in Part V of the 1989 Order;

"delegation" means delegation by the Education Authority to the Board of Governors of the management of a school's budget under Part II of the 2003 Order and "delegated budget" shall be construed accordingly;

"the Education Authority" means the Education Authority established by the Education Act (Northern Ireland) 2014(6)

"effective service" has the meaning given in regulation 17(5);

"eligible teacher" has the meaning given in regulation 14(2);

(2) S.I. 1996/1919 (N.I. 16)

(3) S.R. 1998 No. 333, as amended by S.R. 2001 No. 149, S.R. 2003 No. 147, S.R. 2005 No. 181, S.R. 2005 No. 495, S.R. 2006 No. 163, S.R. 2006 No. 366, S.R. 2007 No. 137, S.R. 2008 No. 50, S.R. 2010 No. 137, S.R. 2012 No. 126, S.R. 2013 No. 54, S.R. 2014 No. 37, S.R. 2014 No. 70, S.R. 2015 No. 69 and S.R. 2015 No. 126.

(4) S.I. 2003/424 (N.I. 12)

(5) S.R. 2014 No. 310 as amended by S.R. 2015 No. 126.

(6) 2014 c. 12 (N.I.).

"employing authority" in relation to an eligible teacher, means the Education Authority, the Council, a Board of Governors of a voluntary grammar school or grant maintained integrated school or any other maintained school which is not a Catholic maintained school or the governing body of an institution of further education or other person or body by whom he is employed before the material date;

"former employment" in relation to an eligible teacher or a credited teacher means relevant employment in relation to which the conditions in regulation 14(3) are satisfied, and "former employer" means the person who employed the teacher in that employment;

"grant maintained integrated school" has the meaning assigned to it by Article 65(3) of the 1989 Order;

"institution of further education" has the meaning assigned to it by Article 2(2) of the Further Education (Northern Ireland) Order 1997;

"long-term compensation" has the meaning given in regulation 22;

"material date" in relation to an eligible teacher or a credited teacher means the date on which the teacher ceased to hold a former employment;

"new employment" means employment mentioned in regulation E14(1) of the 1998 regulations;

"notional annual compensation rate" has the meaning given in regulation 15;

"redundancy payment" in relation to a person's former employment means the aggregate of the amounts paid in respect of its cessation by way of—

- (a) the redundancy payment to which he became entitled under Part XII of the 1996 Order;
- (b) any increase paid by the former employer before 18th August 1986 so that the payment, as increased, corresponded to that which would have been payable had the Redundancy Payments (Local Government etc) (Modification) (Northern Ireland) Order 1986 been in operation on the material date; and
- (e) any compensation which was paid by the former employer under regulation 6 or was of an amount corresponding to that which would have been payable under that regulation if it had been in operation on the material date;

"short-term compensation" has the meaning given in regulation 21;

"termination payment" has the meaning given in regulation 28;

"transition member" has the meaning assigned to it by paragraph 20 of Schedule 3 to the 2014 Regulations;

"a week's pay" is to be calculated in accordance with Chapter IV of Part I of the 1996 Order but, for the purposes of these Regulations, the calculation date shall be the date that the person in question ceased to hold the relevant employment in question and that Chapter shall be applied as if Article 23(1)(c) of that Order had been repealed.

(3) If these Regulations require anything to be done within a specified period after or from a specified day or event, the period begins immediately after the specified day or, as the case may be, the day on which the specified event occurs.

(4) In these Regulations

- controlled school;
- grammar school;
- maintained school;
- nursery school;
- primary school;
- secondary school;
- special school; and
- voluntary school,

have the meanings respectively assigned to them by Article 2(2) of the Education and Libraries (Northern Ireland) Order 1986.

Relevant Employment

3.—(1) Relevant employment is employment falling within Schedule 2 to the 1998 Regulations or Schedule 1 of the 2014 Regulations.

(2) For the purposes of these Regulations—

- (a) Employment category A comprises relevant employment—
 - (i) at a controlled or maintained secondary school (other than a voluntary grammar school), or a controlled grammar school, which for the time being had a delegated budget,
 - (ii) at a maintained primary school (other than a Catholic maintained school or grant maintained integrated school), or
 - (iii) at any school formerly within category B or category D which has for the time being been given a delegated budget;
- (b) employment category B comprises relevant employment at a controlled or Catholic maintained primary or nursery school which for the time being did not have a delegated budget;
- (c) employment category C comprises relevant employment—
 - (i) at a voluntary primary school which is not a maintained school and which for the time being did not have a delegated budget,
 - (ii) at a voluntary grammar school,
 - (iii) at an institution of further education, or
 - (iv) at a grant maintained integrated school;
- (d) employment category D comprises relevant employment—
 - (i) at a controlled or Catholic maintained special school,
 - (ii) at a voluntary maintained special school, which did not have a delegated budget;
- (e) employment category E comprises relevant employment at any school for which delegation of the management of the school's budget has been suspended in accordance with conditions imposed under Article 5 of the 2003 Order; and
- (f) employment category F comprises relevant employment not falling within categories A to E.

Normal Pension Age

4.—(1) Subject to paragraphs (2) and (3), a person's normal pension age is to be determined in accordance with Schedule 1 to the 1998 Regulations and regulation 3 of the 2014 Regulations.

(2) A person who is a member of the 1998 scheme with a normal pension age of 60 is, for the purposes of these Regulations, to be treated as having a normal pension age of 65.

(3) The normal pension age of a transition member is—

- (i) in relation to reckonable service under the 1998 scheme which is taken into account in calculating mandatory compensation under Part 4, 65;
- (ii) in relation to accrued pension under the 2015 scheme which is taken into account in calculating mandatory compensation under Part 4 or discretionary compensation under Part 5, the state pension age.

(4) A person who attains normal pension age in relation to the 1998 scheme but has not attained normal pension age in relation to the 2015 scheme is eligible to receive benefits under the 1998 scheme which are payable by reason of the person having attained normal pension age under that scheme and benefits under the 2015 scheme which are payable by reason of the person not having attained normal pension age under that scheme.

PART 2

Discretionary Compensation for Redundancy

Application of this Part

5. This Part applies to any person (P) who has become entitled to a redundancy payment under Part XII of the 1996 Order in consequence of P having ceased to be employed in relevant employment.

Discretionary Compensation for Redundancy

6. The appropriate person may pay to a person to whom this Part applies compensation which does not exceed the difference between—

- (a) the redundancy payment to which he is entitled under Part XII of the 1996 Order; and
- (b) the redundancy payment to which he would have been so entitled if Article 23(1)(c) of the 1996 Order had been repealed.

PART 3

Discretionary Compensation for Termination

Application of this Part

7. This Part applies to any person (P) who has ceased on or after 30th April 2010 to be employed in relevant employment by reason of P's redundancy or in the interests of the efficient discharge of P's employer's functions.

Discretionary compensation for termination

8. Subject to the common funding scheme mentioned in Article 4 of the 2003 Order, the appropriate person may pay to a person to whom this Part applies compensation which does not exceed A-B where—

A is a sum equivalent to 104 weeks' pay, and

B is the aggregate of

- (a) any redundancy payment to which the person is entitled under Part XII of the 1996 Order; and
- (b) any compensation which is paid to him under Part 2 (discretionary compensation for redundancy).

PART 4

Mandatory Compensation for Premature Retirement

Entitlement to mandatory compensation

9.—(1) A person to whom paragraphs (3) and (5) or paragraphs (4) and (5) apply is eligible for annual compensation under these Regulations.

(2) A person to whom paragraph (3) and regulations E5(14) and E6(10) of the 1998 Regulations apply is eligible for lump sum compensation under these Regulations.

(3) This paragraph applies to a person (P) if—

- (a) P ceases to be in pensionable or excluded employment because P's employment is terminated by reason of P's redundancy or in the interests of the efficient discharge of P's employer's functions;
 - (b) P has attained normal minimum pension age on or before the date that P falls within subparagraph (a);
 - (c) P's employer gives written notice to the scheme manager that—
 - (i) P's employment was terminated by reason of P's redundancy or in the interests of the efficient discharge of the employer's functions; and
 - (ii) P's employer agrees that a premature retirement pension should become payable;
 - (d) P has not received or is not to receive compensation under Part 3 as a result of the termination of the employment; and
 - (e) P either—
 - (i) makes an application under regulation E33 of the 1998 Regulations for retirement benefits on the basis that P satisfies the requirements of this paragraph and that no Case in regulation E4 of those Regulations other than Case A applies to P's reckonable service; or
 - (ii) is entitled to payment of a premature retirement pension under regulation 101 of the 2014 Regulations.
- (4) This paragraph applies to a person (P) if—
- (a) P has attained normal minimum pension age and—
 - (i) if P is a member of the 1998 scheme, has not attained the age of 65;
 - (ii) if P is a transition member or a member of the 2015 scheme, has not attained normal pension age;
 - (b) P is qualified or re-qualified for retirement benefits within the meaning of—
 - (i) Case F in regulation E4(7) of the 1998 Regulations; or
 - (ii) regulation 82 or 83 of the 2014 Regulations;
 - (c) P's pensionable service in relation to an employment is terminated by reason of P's redundancy or in the interests of the efficient discharge of the functions of P's employer;
 - (d) P's employer gives written notice to the scheme manager that—
 - (i) P's pensionable service was terminated by reason of P's redundancy or in the interests of the efficient discharge of the employer's functions; and
 - (ii) the employer agrees that a premature retirement pension should become payable to P;
 - (e) P has not received and is not to receive compensation under Part 3 as a result of P's pensionable service being terminated;
 - (f) P has left all eligible employment;
 - (g) P has applied under regulation 162 of the 2014 Regulations for payment of a premature retirement pension; and
 - (h) P has not applied under that regulation for payment of any other retirement pension.
- (5) This paragraph applies to a person to whom—
- (i) regulation E5(7) of the 1998 Regulations applies;
 - (ii) regulation 96 or 102 of the 2014 Regulations applies.
- (6) A transition member who is eligible for annual compensation in respect of pension accrued in the 2015 scheme is also eligible for annual compensation in respect of pension accrued in the 1998 scheme.

Calculation of annual compensation

- 10.—(1)** — Subject to paragraph 2, a person (P)'s rate of annual compensation under regulation 9(1) is—
- (a) if P was accruing pensionable service under the 1998 Regulations immediately before the termination of P's employment, the rate of the annual compensation under this regulation is the difference between the rate of his retirement pension or additional retirement pension under

regulation E15(4) of the 1998 Regulations (as the case may be) if calculated in accordance with regulation E5(14) of those Regulations and the rate if it is not.

- (b) if P was accruing pensionable service under the 2014 Regulations immediately before the termination of P's employment, the total amount of any standard reduction and actuarial adjustment to which the annual rate of P's retirement pension is subject in accordance with regulation 102(b) of the 2014 Regulations.

(2) If a person (P) in receipt of annual compensation under regulation 9(1) attains state pension age and the annual rate of P's retirement pension under the 1998 Regulations is increased by virtue of regulation E1 or E15(4) of those Regulations then from the date on which P attained state pension age P's annual compensation under paragraph (1) is to be reduced by the difference between—

- (a) the annual rate of P's retirement pension calculated subject to regulation E1 or E15(4) of the 1998 Regulations; and
- (b) the annual rate of P's retirement pension calculated without reference to that regulation.

Calculation of lump sum compensation

11. The lump sum compensation payable to a person under regulation 9(2) is the amount of any reduction made under regulation E6(10) of the 1998 Regulations to the person's retirement lump sum.

Further death grants

12.—(1) This regulation applies if a supplementary death grant is payable under regulation E(21) of the 1998 Regulations or regulation 141 of the 2014 Regulations, whether or not such a grant is paid.

(2) If this regulation applies the compensating authority may pay a further death grant of A-B where—
A is 5 times the rate of annual compensation payable under regulation 10(1) at the date of the member's death;

B is the amount of compensation paid to the person since the compensation became payable.

(3) If regulation 31 applies any amount by which the annual rate of compensation is reduced under that regulation is treated as being payable for the purposes of the calculation in paragraph (2).

Entitlement to short term death benefits

13.—(1) This regulation applies if—

- (a) the amount of a person's short-term pension under regulation E24 of the 1998 Regulations is reduced by virtue of regulation E25(4) of those Regulations;
- (b) the amount of a person's pension at the short-term rate payable under regulation 143 or 150 of the 2014 Regulations is reduced by the combined effect of
 - (i) regulation 96 or 102; and
 - (ii) regulation 143(2)(b) or 150(2)(b)of the 2014 Regulations.

(2) If this regulation applies the person to whom a pension is payable at the short-term rate is eligible for compensation, for each month during which the short-term compensation is payable, which is equal to the amount by which the short-term pension is reduced for that month.

PART 5

Discretionary Compensation for Premature Retirement

Application of this Part

14.—(1) This Part applies to eligible teachers.

(2) An eligible teacher is a person (P)—

- (a) to whom Part 4 applies, or would apply but for the fact that the member is a protected member;
- (b) who immediately before the material date was employed in relevant employment whether or not in a single post and, if in more than one post, had left all such posts on the material date; and
- (c) in relation to whom the conditions in paragraph (3) are satisfied.

(3) The conditions are that—

- (a) retirement benefits have not become payable to P by virtue of Case C applying to P's reckonable service, and P has not applied for an ill-health pension or a total incapacity pension under regulation 162 of the 2014 Regulations;
- (b) P has not received, and is not entitled to receive, a payment in respect of dismissal.

Interpretation of this Part

15.—(1) In this part, "notional annual compensation rate" means the rate at which annual compensation would have been payable under regulation 19(1) immediately before the recipient's death if there had been left out of account any reduction under regulation 27(4)(b), 28, 30 or 31.

(2) For the purposes of paragraph (1), if the deceased died in new employment which was pensionable employment the deceased is to be taken to have ceased to be in that employment immediately before death.

Adjustments

16. Adjustments to compensation payable under this Part may be made under Part 6.

Discretion to credit an additional period of service

17.—(1) Subject to the approval of the compensating authority, the deciding authority may credit an eligible teacher, including an eligible teacher who has since died, ("a credited teacher") with a period of service ("the credited period").

(2) The credited period is not to exceed the shortest of—

- (a) the period by which effective service falls short of 40 years;
- (b) the period beginning on the day following the material date and ending on the date the member attains normal pension age less, if paragraph 1 of Part 3 of Schedule 1 applies, any period required by paragraph 2 of that Part to be deducted;
- (c) the length of effective service; and
- (d) the period specified in Part 2 of Schedule 1.

(3) Any credit by the deciding authority must be within 6 months after the material date.

(4) Effective service is the sum of—

- (a) any period or periods which the member is entitled to count as reckonable service under the 1998 Regulations or pensionable service under the 2014 Regulations; and
- (b) if the member's employment was not pensionable service, any period which the member would have been entitled so to count if it had been.

Entitlement of credited teacher to compensation

18.—(1) A credited teacher is eligible for annual compensation.

(2) A credited teacher who is eligible for lump sum compensation under regulation 9(2) is eligible for lump sum compensation under this Part.

Calculation of annual compensation

19.—(1) Subject to regulations 27 and 28, the rate of annual compensation payable to a member of the 1998 scheme is calculated in accordance with the formula—

$$A \times B / C$$

where A is the member's period of credited service, B is the member's average salary and C is the accrual rate used to determine the annual rate of the member's premature retirement pension.

(2) Subject to regulations 27 and 28, the rate of annual compensation payable to a member of the 2015 scheme, including a transition member, is calculated in accordance with the formula—

$$D \times E / 57$$

where D is the member's salary on the material date or, if the member was not a full time employee on the material date, the salary that would have been payable had the member been a full time employee on the material date and E is the period of credited service under regulation 17.

Calculation of lump sum compensation

20. Subject to regulations 27 and 28, the amount of lump sum compensation under regulation 18(2) is the difference between—

- (a) the lump sum which would be payable under regulation E6 of the 1998 Regulations if the member's credited service under regulation 17 were added to the member's reckonable service under the 1998 Regulations; and
- (b) the lump sum which would be payable under regulation E6 of the 1998 Regulations if no such addition were made.

Short-term compensation on death

21.—(1) This regulation applies if a credited teacher (C) dies and a pension—

- (a) becomes payable at the short-term rate under regulation E24 of the 1998 Regulations or regulation 143 or 150 of the 2014 Regulations; or
- (b) would have become so payable but for an election under regulation B1(4) or B4 of the 1998 Regulations or regulation 28 or 31 of the 2014 Regulations.

(2) Subject to regulation 25, compensation ("short-term compensation") is to be paid to or, as the case may be, for the benefit of every person who is or would have been entitled to payment of the short-term pension.

(3) Subject to paragraph (4) and to regulation 29, the rate of the short-term compensation is the rate at which C's annual compensation payable under regulation 19 would have been payable immediately before C's death if any reduction under regulation 28 or 30 had not been made.

(4) If C died in new employment which was pensionable employment, C is for the purposes of paragraph (3) to be taken to have ceased to be in that employment immediately before C's death.

(5) If the rate calculated in accordance with paragraph (3) is less than that of long-term compensation to which there is prospective entitlement under regulation 22, the rate of the short-term compensation is the same as that of the long-term compensation.

Long-term compensation on death

22. Subject to regulation 25, compensation ("long-term compensation") is to be paid to or, as the case may be, for the benefit of every person who became or would have become entitled to payment of a long-term pension if a credited teacher dies and a pension—

- (a) becomes payable at the long-term rate under regulation E26 of the 1998 Regulations or regulation 144 or 151 of the 2014 Regulations; or
- (b) would have become so payable but for an election under regulation B1(4) or B4 1998 Regulations or regulation 28 or 31 of the 2014 Regulations.

Adult compensation

23. Subject to regulation 29, the rate of the long-term compensation payable to a person (P) who is not a child ("adult compensation") is—

- (a) if P is a member of the 1998 scheme with a normal pension age of 60, one half of the notional annual compensation rate;
- (b) if P is a member of the 1998 scheme with a normal pension age of 65, $1/160$ of $M \times N$, where
M is P's average salary;
N is P's family benefit service;
- (c) if P is a transition member or a member of the 2015 scheme, 37.5% of P's annual pension.

Child compensation

24.—(1) Subject to regulation 29, the rate of long-term compensation payable to or for the benefit of a child or children while adult compensation is payable is—

- (a) one quarter of the notional annual compensation rate if compensation is payable to one child;
- (b) one half of the notional annual compensation rate if compensation is payable to two or more children.

(2) Subject to regulation 29, the rate of long-term compensation payable to or for the benefit of a child or children if adult compensation did not become payable, or ceased to be payable, is—

- (a) one third of the notional annual compensation rate if compensation is payable to one child;
- (b) two thirds of the notional annual compensation rate if compensation is payable to two or more children.

Duration of compensation on death

25.—(1) Subject to paragraph (3), a person's short-term compensation is payable from the day after that of the death, and the duration of the short-term compensation payable is to be ascertained from the table below.

Table

<i>Category</i>	<i>Person entitled to short-term compensation</i>	<i>Duration of compensation (months)</i>
1	Spouse, civil partner, surviving nominated partner or nominated beneficiary	3
2	One child or more and adult compensation is payable	3
3	One child or more and no	6

adult compensation is payable

In the table above "adult compensation" means short-term compensation payable to a spouse, civil partner, surviving nominated partner or nominated beneficiary.

(2) Subject to paragraph (3), a person's long-term compensation is payable for life—

- (a) from the day following that on which the person's short-term compensation ceases to be payable; or
- (b) if no short-term compensation was payable, from the day after that of the death.

(3) Short-term or long-term compensation payable to or for the benefit of a child ceases to be payable when the child ceases to be an eligible child within the meaning of regulation 137 of the 2014 Regulations

PART 6

Adjustments

Application of this Part

26. This Part applies to eligible teachers.

Redundancy payments

27.—(1) This regulation applies to a credited teacher (C) where—

- (a) C's credited period exceeds 6 2/3rds years; and
- (b) C has received, or is to receive, compensation under regulation 6 in respect of the cessation of C's former employment.

(2) If C's lump sum compensation payable under regulation 20 would exceed the relevant amount, it is to be reduced by the relevant amount.

(3) If C's lump sum compensation payable under regulation 20 would equal the relevant amount, it is not to be paid.

(4) If C's lump sum compensation payable under regulation 20 would be less than the relevant amount—

- (a) it is not to be paid; and
- (b) the rate of C's annual compensation payable under regulation 19 is to be determined by the scheme manager on advice from the scheme actuary.

(5) The relevant amount is—

$$(3 \times A/10) \times B$$

where—

A is the amount of the redundancy payment;

B is the length of time, expressed in years and any fraction of a year, by which the credited period exceeds 6 2/3rds years.

Termination payments

28.—(1) This regulation applies to a credited teacher (C) who receives a termination payment.

(2) A termination payment is the aggregate of any lump sum payments made to C by C's former employer which—

- (a) are made in consequence of, or as compensation for, the loss of C's former employment;
- (b) are made in pursuance of any contract or arrangement or any provision contained in, or made under, any statutory provision, whenever made;
- (c) are not made by way of an excepted payment.

(3) The excepted payments are—

- (a) a redundancy payment in respect of the cessation of C's former employment;
- (b) so much of any payment in lieu of notice of termination of that employment as does not exceed the remuneration which C would, but for its termination, have received for the three months following the material date;
- (c) compensation paid under regulation 8, 10, 11, 19 or 20.

(4) If C's lump sum compensation under regulation 20 would exceed the termination payment, it is to be reduced by the amount of the termination payment.

(5) If C's lump sum compensation under regulation 20 would be equal to the termination payment, it is not to be paid.

(6) If C's lump sum compensation under regulation 20 would be less than the termination payment—

- (a) it is not to be paid; and
- (b) C's annual compensation under regulation 19 is to be reduced by the difference.

(7) C's annual compensation under regulation 19 is to be reduced by the amount of the termination payment if—

- (a) by reason of regulation 27(3) or (4) no lump sum compensation is payable under regulation 20; or
- (b) lump sum compensation was paid under regulation 20 before the termination payment became payable.

(8) The reduction under paragraph (6)(b) in annual compensation payable under regulation 19 is a reduction in the total amount payable, and accordingly payment is to be suspended until the full reduction has been achieved.

Periodic payments

29.—(1) This regulation applies if—

- (a) relevant periodic payments are payable to a credited teacher or to a person to whom compensation is payable under regulation 21 or 22; and
- (b) the material date is later than 31st August 1985.

(2) Relevant periodic payments are payments made by the credited teacher's former employer which—

- (a) are in respect neither of a lump sum nor of a return of contributions;
- (b) are made as mentioned in regulation 28(2); and
- (c) are not made under regulation 13.

(3) If the relevant periodic payments in respect of any period equal or exceed the annual or other compensation that would be payable in respect of that period, excluding any compensation paid under regulation 9 or 13, the compensation is not to be paid.

(4) If the relevant periodic payments in respect of any period are less than the compensation referred to in paragraph (3), that compensation is to be reduced by the amount of those payments.

Cessation of discretionary annual compensation during new employment

30.—(1) If a credited teacher (C) enters further employment, compensation payable under regulation 18(1) is to be reduced in accordance with this regulation.

(2) The reduction mentioned in paragraph (1) is to be made if the result of the calculation in paragraph (3) exceeds F, where F is the total, in years and any fraction of a year, of C's reckonable service assuming that C had remained in the former employment until, being an 1998 scheme member, C attained the age of 65 or, being a 2015 scheme member, C attained normal pension age.

(3) The calculation is as follows—

$$A + B + (C - D) + E$$

where—

A is C's effective service;

B is the period, in years and any fraction of a year, between the material date and the later of the date of completion of the further employment and the date C, being an 1998 scheme member, attains the age of 65 or, being a 2015 scheme member, attains normal pension age;

C is the credited period;

D is the total period in respect of which any previous reductions were made to compensation payable under regulation 31(1) as a result of C entering further employment;

E is the total, in years and any fraction of a year, of any additional periods of service credited to C in respect of termination or redundancy under the provisions referred to in paragraph 1 of Schedule 2.

(4) The reduction mentioned in paragraph (1) is to be calculated in accordance with the following formula—

(5)

$$G \times ((H \times J) / 80)$$

where—

G is the period, in years and any fraction of a year, by which the result of the calculation in paragraph (3) exceeds F;

H is the shorter of B and C-D;

J is the lower of C's average salary in the former employment and the figure produced by applying the formula $K - (K \times L) / (L + 100)$ where K is C's average salary in the new employment and L is the PIA index adjustment.

PART 7

Abatement

Abatement of annual compensation during further employment

31.—(1) This regulation applies if the amount of retirement pension paid to a person (P) is reduced under regulations E14A and E14B of the 1998 Regulations.

(2) If this regulation applies—

(a) and by virtue of sub-paragraph (1)(a) or (2)(a) of regulation E14B of the 1998 Regulations no retirement pension is paid during a tax year, no compensation is to be paid under regulation 10 or 19 in that tax year;

(b) and in any other case the compensation to which P is entitled under regulation 10 and the compensation to which P is entitled under regulation 19 in any tax year is each to be reduced if necessary so as to secure that the total compensation paid under regulation 10 and 19 during that tax year does not exceed $A \times (R/S)$ where—

A has the same meaning as in regulation E14B of the 1998 Regulations;

R is the full annual rate of P's compensation under regulation 10 during the tax year in question;

S is the total, for the tax year in question, of—

- (i) the full annual rate of P's retirement pension including, in the case of a transition member, any pension under the 2014 Regulations;
- (ii) the full annual rate of compensation payable under regulation 10; and
- (iii) the full annual rate of all compensation payable under regulation 19.

(3) If compensation under regulations 10 and 19 falls to be reduced under paragraph (2)(b) in any tax year—

- (a) the compensating authority is to pay the compensation under each regulation in accordance with regulation 41—
 - (i) at the rate which is appropriate without taking account of the reduction;
 - (ii) until the amount to which the compensation is to be reduced, on the assumption that P will remain in employment at the same salary for the rest of the tax year, has been paid; and
- (b) no further payment is to be made during that tax year.

(4) If there is a change in circumstances which results in a change to any of the conditions for calculating a reduction in annual compensation under paragraph (2) in any tax year, the compensating authority is to recalculate the amount of compensation which is payable in order to secure the result described in paragraph (2).

(5) For the purposes of paragraph (2)—

- (a) regulation E14B of the 1998 Regulations is to be construed as if the former employment were pensionable employment;
- (b) if P had more than one entitlement to annual compensation under regulation 19, R comprises the total annual compensation under regulation 19 but each component is to be reduced under paragraph (2)(b) only in the proportion which it bears to the total.

Abatement of discretionary annual compensation following termination or redundancy payment

32.—(1) The annual compensation under regulation 19 is to be reduced by the amount of the termination or redundancy payment if—

- (a) lump sum compensation was paid under regulation 20 before a termination payment or a redundancy payment became payable; and—
- (b) either—
 - (i) the termination payment, if paid before the lump sum compensation became payable, would have resulted in the lump sum compensation being reduced or not paid under regulation 28;
 - or
 - (ii) the redundancy payment, if paid before the lump sum compensation became payable, would have resulted in the lump sum compensation being reduced or not paid under regulation 27.

(2) The reduction under paragraph (1) in annual compensation payable under regulation 19 is a reduction in the total amount payable, and accordingly payment is to be suspended until the full reduction has been achieved.

PART 8

Miscellaneous

Deciding and compensating authorities

33.—(1) Schedule 1 makes provision concerning the deciding authority and the compensating authority.

(2) The deciding authority is determined from the first and second columns of the table in Schedule 1.

(3) Subject to paragraph (4) the compensating authority is determined from the first and third columns of the table in Schedule 1.

(4) If in consequence of any statutory provision, amalgamation, merger or other arrangement the compensating authority becomes part of another body (the "successor body") and ceases to be a separate body, the successor body becomes the compensating authority.

Liability for compensation

34.—(1) Subject to paragraph (2), the cost of compensation to which a person is entitled under Parts 4 and 5 is to be met by the compensating authority.

(2) The compensating authority may require the deciding authority to pay to it a sum equal to the actuarial value of the total compensation payable.

Arrangements for payment

35.—(1) A compensating authority may—

- (a) pay any compensation for which it is liable under regulation 34; or
- (b) arrange for the compensation to be paid by any suitable person and for its reimbursement by the authority.

(2) Arrangements for reimbursement shall provide for—

- (a) a single payment by the authority of a sum equal to the actuarial value of the total compensation payable; or
- (b) with the approval of the Department of Education, for the payment of such a sum, by not more than five annual instalments.

Declaration where lump sum payments are made

36.—(1) The compensating authority may, before paying any lump sum under regulation 9, require the person to whom the payment is to be made to provide a declaration as specified in paragraph (2) by a date determined by the compensating authority.

(2) The declaration is a declaration, in a form specified by the Department, signed by that person, to the effect that paragraph 3A of Schedule 29 to the Finance Act 2004 does not apply.

(3) Where no such declaration is received by the compensating authority by the date referred to in paragraph (1) the compensating authority may, in place of the lump sum, pay additional annual compensation representing the value of the lump sum.

(4) The amount of additional compensation referred to in paragraph (3) shall be determined by the compensating authority on the same basis as an additional pension is determined by the Department pursuant to regulation H4A of the 1998 Regulations.

Notification

37.—(1) As soon as is reasonably practicable after—

- (a) an eligible teacher has been credited with a period of service under regulation 17;
- (b) a credited teacher has died;
- (c) a person becomes entitled to compensation under regulation 9; or
- (d) any adjustment had been made under regulation 31 or Part 6;

the compensating authority shall give a written notification to every person to whom compensation became payable or whose compensation is affected.

(2) The notification is to state—

- (a) where paragraph (1)(a) to (c) applies, what compensation is payable; and
- (b) where paragraph (1)(d) applies, what adjustment has been made;

and how the compensation or adjustment has been calculated.

Supply of information

38.—(1) A credited teacher or a person entitled to compensation under regulation 9 shall, within one month after entering or leaving a new employment, notify the compensating authority in writing that he has done so.

(2) A person to whom compensation is payable shall provide the compensating authority with such information, and to produce such documents, as the authority may reasonably require for the purposes of its functions under these Regulations.

Payment of compensation

39.—(1) Compensation, other than lump sum compensation, is to be paid in arrears—

- (a) at intervals of one month; or
- (b) at such longer intervals as may be agreed between the compensating authority and the recipient.

(2) Where compensation ceases to be payable before the next date on which a payment would be due, a proportionate payment is to be made for the period ending on the date of cessation.

(3) A proportionate payment is a payment of—

$$\left(\frac{A}{12} \times B\right) + \left(\frac{A}{12} \times \frac{C}{D}\right)$$

where—

A is the annual rate of the compensation,

B is the number of complete months, if any, in the period,

C is the number of days remaining in the period after deducting B, and

D is the number of days in the month in which the period ended.

(4) If a person entitled to payment of compensation has not attained the age of 18, or is incapable by reason of infirmity of mind or body of managing his affairs, the compensating authority may—

- (a) pay it to any person having the care of the person entitled; or
- (b) apply it for the benefit of the person entitled or his dependants.

Compensation not assignable

40.—(1) Any assignment of or charge on, or agreement to assign or charge, any compensation payable under these Regulations is void.

(2) On the bankruptcy of a person entitled to such compensation no part of the compensation shall pass to any trustee or other person acting on behalf of the creditors, except in accordance with an income payments order made by a court under Article 283 of the Insolvency (Northern Ireland) Order 1989.

Modified application in relation to persons entitled to admitted service benefits

41. In relation to a person with admitted service these Regulations have effect with the modifications set out in Schedule 2.

PART 9

Consequential Amendments, Revocation and Transitional Provisions

Consequential amendments to the 1998 Regulations

42. The 1998 Regulations are amended as follows—

- (a) in regulation E4(7)(d), for “Part 3 of the Teachers (Compensation for Redundancy and Premature Retirement) Regulations (Northern Ireland) 2010”, substitute “Part 3 of the Teachers (Compensation for Redundancy and Premature Retirement) Regulations (Northern Ireland) 2016”;
- (b) in regulation E9(5), for “regulation 7 of the Teachers (Compensation for Redundancy and Premature Retirement) Regulations (Northern Ireland) 2010”, substitute “regulation 9 of the Teachers (Compensation for Redundancy and Premature Retirement) Regulations (Northern Ireland) 2016”;
- (c) in regulation E14, in the definition of “pension receipts”, for “the Teachers (Compensation for Redundancy and Premature Retirement) Regulations (Northern Ireland) 2010, and compensation payable under regulation 12”, substitute “the Teachers (Compensation for Redundancy and Premature Retirement) Regulations (Northern Ireland) 2016, and compensation payable under regulations 19 and 20”;
- (d) in Schedule 1, in the definition of “compensating authority”, for “regulation 20 of the Teachers (Compensation for Redundancy and Premature Retirement) Regulations (Northern Ireland) 2010”, substitute “regulation 34 of the Teachers (Compensation for Redundancy and Premature Retirement) Regulations (Northern Ireland) 2016”;
- (e)

Consequential amendment to the 2014 Regulations

43. In the 2014 Regulations, in regulation 101(1)(e), for “Part 3 of the Teachers (Compensation for Redundancy and Premature Retirement) Regulations (Northern Ireland) 2010”, substitute “Part 3 of the Teachers (Compensation for Redundancy and Premature Retirement) Regulations (Northern Ireland) 2016”.

Revocation and transitional provisions

44.—(1) The Teachers’ (Compensation for Redundancy and Premature Retirement) Regulations (Northern Ireland) 2010 are revoked.

(2) Where a period of time specified in, or applying by virtue of, a provision of the 2010 Regulations is current at the commencement of these Regulations, these Regulations have effect as if the corresponding provision of these Regulations had been in operation when that period began to run.

Sealed with the Official Seal of the Department of Education on



Name

A senior officer of the
Department of Education

The Department of Finance and Personnel consents to the foregoing Regulations.

Sealed with the Official Seal of the Department of Finance and Personnel on



Name
A senior officer of the
Department of Finance and Personnel

SCHEDULE 1 Regulations 17(2), 30(3) and 33

PART 1

Deciding and Compensating Authorities

<i>(1) Employment Category</i>	<i>(2) Deciding Authority</i>	<i>(3) Compensating Authority</i>
A	the Board of Governors;	the Education Authority
B	in the case of controlled schools, the Education Authority;	the Education Authority
	in the case of Catholic maintained schools, the Council;	the Education Authority
C	in the case of voluntary grammar schools, and grant maintained integrated schools, the Board of Governors;	the Department
	in the case of voluntary primary schools which are not maintained, the manager;	the Department
	in the case of institutions of further education, the governing body;	the governing body
D	in the case of controlled schools, the Education Authority;	the Department
	in the case of Catholic maintained schools, the Council;	the Department
	in the case of a maintained school (other than a Catholic maintained school or grant maintained integrated school); the Board of Governors.	the Department
E	in the case of controlled schools, the Education Authority;	the Department
	in the case of Catholic maintained schools, the Council;	the Department
F	The employing authority	the Department

PART 2

1. For the purposes of this Part a person's relevant service is so much of his effective reckonable service as does not consist of periods that count by virtue of regulation D3 of the 1998 Regulations (past period for which additional contributions have been paid).

2. Where the former employment has been terminated in the interests of the efficient discharge of the employer's functions the maximum period of service which may be credited to the teacher is set out in column (2) of the table according to the teacher's relevant service set out in column (1).

<i>Relevant Service (1)</i>	<i>Maximum period of service which may be credited (2)</i>
5 to 12 years	1 year
13 to 20 years	2 years
21 to 28 years	3 years
At least 29 years	4 years

3. Where the former employment has been terminated by reason of redundancy the maximum period of service which may be credited to the teacher is set out in column (2) of the table according to the teacher's relevant service set out in column (1).

<i>Relevant Service (1)</i>	<i>Maximum period of service which may be credited (2)</i>
5 to 8 years	1 year
9 to 12 years	2 years
13 to 16 years	3 years
17 to 20 years	4 years
21 to 24 years	5 years
25 to 28 years	6 years
29 years or over	6 2/3 years

PART 3

Previous Compensation

1.—(1) This paragraph applies where, before the cessation of his former employment, a credited teacher has been credited with a period of additional service, or has had his period of service increased, for the purpose of calculating—

- (a) retirement compensation under regulations made under section 137 of the Local Government (Northern Ireland) Act 1972(7) (compensation for loss of office) on account of loss of employment; or
- (b) benefit under regulations made under section 3 of that Act (early retirement in lieu of compensation for loss of office); or
- (c) compensation under any scheme made under Article 3 of the Superannuation (Northern Ireland) Order 1972(8) (civil servants, etc.) on account of his retirement in the public interest, or for loss of office; or
- (d) compensation under these Regulations or any other regulations made under Article 19 of that Order (loss of office, etc.) on account of the termination of his employment by reason of redundancy or in the interests of the efficient discharge of his employer's functions; or

(2) Any reference in sub-paragraph (1) to instruments made under a specified statutory provision includes a reference to any instrument made under any statutory provision to the like effect, whenever enacted.

2. The period to be deducted, where paragraph 1 applies, from the first period mentioned in regulation 17(2)(b) is A - B - C, where —

A is the period with which he has been credited, or by which his service has been increased, as mentioned in paragraph 1,

B is any period by which A has been reduced in consequence of the cessation of subsequent employment, and

(7) 1972 C.9 (N.I)

(8) S.I. 1972/1073 (N.I. 10)

C is the aggregate of any periods falling between the cessation of employment that gave rise to A and the material date during which he was neither in pensionable employment nor in employment which would have been pensionable employment but for an election under regulation B4 of the 1998 Regulations.

SCHEDULE 2

Regulation 41

MANDATORY COMPENSATION IN RELATION TO ADMITTED SERVICE

1. A person who is entitled to an annual pension in respect of admitted service and to whom paragraph 28A of Part IV of Schedule 10 (admitted service) to the 1998 Regulations applies (actuarial reductions on premature retirement) is entitled to annual compensation and to lump sum compensation under this Schedule.

2. The rate of the annual compensation is the difference between the rate of the annual pension in respect of admitted service if calculated in accordance with paragraph 29A of that Part and the rate if calculated in accordance with paragraph 29 of that Part.

3. The amount of the lump sum compensation is the amount, if any, calculated in accordance with paragraph 29A of that Part by which the lump sum in respect of admitted service is reduced.

4. Regulations 34 (liability for compensation), 35 (arrangements for payment), 37 (notification), 38 (supply of information), 39 (payment of compensation) and 40 (compensation not assignable) shall apply in relation to compensation payable under this Schedule as they apply in relation to compensation payable under regulation 9.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and replace the Teachers (Compensation for Redundancy and Premature Retirement) Regulations (Northern Ireland) 2010. They make provision for payment to teachers for redundancy, termination or premature retirement.

Part 2 provides for payment to a teacher of discretionary compensation for redundancy in addition to the teacher's redundancy payment.

Part 3 provides for payment of discretionary compensation to a teacher for termination of employment by reason of redundancy or in the interests of the efficient discharge of the employer's functions.

Part 4 provides for payment of mandatory annual and lump sum compensation and other benefits to or in respect of a teacher for premature retirement by reason of redundancy or in the interests of the efficient discharge of the employer's functions. *Regulation 9* sets out the entitlement to annual compensation. *Regulation 10* provides for the calculation of annual compensation. *Regulation 11* provides for the calculation of lump sum compensation. The remainder of Part 4 makes provision for the payment and calculation of supplementary death grants and short-term family benefits.

Part 5 provides for payment of discretionary annual and lump sum compensation and other benefits to or in respect of a teacher for premature retirement by reason of redundancy or in the interests of the efficient discharge of the employer's functions. *Regulation 17* makes provision as to a deciding authority's discretion to credit a teacher with an additional period of service. *Regulation 18* sets out the entitlement of a credited teacher to discretionary compensation. *Regulation 19* provides the calculation of annual compensation. *Regulation 20* provides the calculation of lump sum compensation. The remainder of Part 5 provides for payment of short-term and long-term compensation on death.

Part 6 provides for adjustments to be made to payments under the regulations when a redundancy payment, a termination payment or a periodic payment is also made (*regulations 27, 28 and 29*). *Regulation 30* provides for cessation of discretionary annual compensation during new employment.

Part 7 provides for abatement of annual compensation during further employment (*regulation 31*) and for abatement of discretionary annual compensation following termination or redundancy (*regulation 32*).

Part 8 contains miscellaneous provisions regarding liability for and payment of compensation under Parts 4 and 5 (*regulations 33 to 40*) and regarding mandatory compensation for admitted service (*regulation 41*).

Part 9 contains consequential amendments, revocations and transitional provisions.