

(b) as a teacher in any school in a foreign country which is shown to the satisfaction of the Department to be a school in which it is expedient to facilitate the employment of British teachers; or

(c) in an educational service outside the United Kingdom in employment which to a substantial extent involves the control or supervision of teachers; or

(ii.) for a period not exceeding one year in any other case;

the said teacher may with the consent of the Department and at such times as they may require pay into the Education (Scotland) Fund in respect of the period during which service was discontinued sums equal to 10 per cent. of his salary as at the date of discontinuing service and, if he so contributes, the said period shall be deemed to be a period of service within the meaning of this Scheme; provided that one-half of any amount paid under this article shall be reckoned as contributions by the teacher, and the remaining half shall be reckoned as having been paid by way of employer's contributions.

(b) The following articles shall be inserted after article 18 of the Scheme:—

18A.—(1) In such circumstances and subject to such conditions as to proof of good health and other matters as may be prescribed in rules made by the Department under this Scheme, a teacher to whom an annual retiring allowance is granted under the Scheme, otherwise than by reason of infirmity of mind or body, shall be allowed to surrender, as from the date of commencement of the allowance, in return for the benefits of the rules, such part not exceeding one-third of the allowance as may be specified in the rules.

(2) In return for the surrender under the foregoing paragraph the Department shall grant, according as the teacher may in conformity with the rules elect, either—

(i.) to the spouse or to a dependant of the teacher a pension payable in respect of the period, if any, for which the spouse or dependant survives the teacher; or

(ii.) to the teacher an annuity payable as from the date of commencement of the retiring allowance in respect of the period of the joint lives of himself and his spouse and to the spouse a pension payable in respect of the period, if any, for which the spouse survives the teacher:

Provided that the amount of pension granted under (i.) of this paragraph or the amounts of the annuity and pension granted under (ii.) of this paragraph, as the case may be, shall be such that the value, or the aggregate value, thereof shall be actuarially equivalent (according to tables to be prepared from time to time by the Government Actuary), at the date of the commencement of the retiring allowance, to the value of that part of the allowance which is surrendered, so however, that the said amount or amounts shall be reduced to such extent as the Government

Actuary considers sufficient to recoup to the Department the cost, as estimated by them, of administering the provisions of this article.

18B.—(1) If any teacher has surrendered part of a retiring allowance in accordance with the foregoing provisions of this Scheme or of any superannuation allowance under the provisions of section 1 of the Teachers (Superannuation) Act, 1937, then—

(a) for the purpose of calculating the amount of any supplementary death gratuity which may be granted under article 10 (2) of this Scheme, the sums paid to him and to his legal personal representatives by way of annual retiring allowance within the meaning of that article shall be taken to be the sums which would have been so paid but for the surrender; and

(b) for the purpose of computing the balance of his contributions under article 1 (4) of this Scheme, the sums payable under the Scheme to him or to his legal personal representatives (including any sums paid to him or them under the Teachers (Superannuation) Act, 1925), shall be taken to be the sums which would have been so payable but for the surrender.

(2) If any teacher has surrendered part of a retiring allowance in accordance with the provisions of this Scheme, then for the purpose of determining what reduction shall be made under article 13 (b) in his annual retiring allowance in respect of periods of such employment as is therein mentioned, the annual rate of salary at the date on which he ceased to be employed in service shall be treated as reduced by the amount surrendered.

(c) The following article shall be substituted for paragraph (2) of article 18 of the Scheme and paragraph (1) of article 18 shall be read as article 18:—

18C. Every assignation of or charge on any retiring allowance, gratuity, pension, or annuity, or on any other sum payable under this Scheme to a teacher or his representatives or to the spouse or dependant of the teacher shall be void, and no such allowance, gratuity, pension, annuity, or sum shall be liable to arrestment or shall, on the sequestration of a person entitled thereto or on the appointment of a judicial factor on his estate under section one hundred and sixty-three of the Bankruptcy (Scotland) Act, 1913 (3 & 4 Geo. 5, c. 20), pass to the trustee or judicial factor, without prejudice, however, to the making of an Order under section one hundred and forty-eight of the said Act or under any similar enactment in England or Northern Ireland.

(d) The following articles shall be substituted for articles 19 and 20 of the Scheme:—

19. Where any sum not exceeding one hundred pounds is payable under this Scheme, in respect of a retiring allowance, gratuity, or annuity granted to a deceased teacher or of a gratuity granted to the legal personal representatives of a deceased teacher or of a pension granted to a deceased spouse or dependant or by way of the return of any balance of contributions, confirmation