

1977 No. 29

EDUCATION

Teachers' Salaries (Amendment) Regulations (Northern Ireland) 1977

Made 10th February 1977

Coming into operation 10th March 1977

The Department of Education(a) in pursuance of the powers vested in it by Articles 57 and 125 of the Education and Libraries (Northern Ireland) Order 1972(b) and by section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962(c) and of all other powers enabling it in that behalf and after consultation with the Department of Finance(a), hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Teachers' Salaries (Amendment) Regulations (Northern Ireland) 1977 and shall come into operation on 10th March 1977 and except where otherwise provided shall have effect from that date.

Regulations amended

2. The regulations hereby amended are the Teachers' Salaries Regulations (Northern Ireland) 1976(d) and are hereinafter referred to as "the 1976 Salaries Regulations".

Vice-principals

3. Regulation 13(3) of the 1976 Salaries Regulations is hereby revoked.

Second masters and second mistresses

4. Regulations 14(2) and 14(3) of the 1976 Salaries Regulations are hereby revoked.

Salary supplement—Definition

5. With effect from 1st August 1976, in regulation 27 of the 1976 Salaries Regulations for "29(g)" there shall be substituted "28A".

Increase in remuneration

6. With effect from 1st August 1976, in regulation 28 of the 1976 Salaries Regulations—

(a) after "Subject to paragraph (2)" in paragraph (1) there shall be added "and to regulation 28A,";

(b) before the words "If such payment" in paragraph (2) there shall be inserted the words "Subject to the provisions of regulation 28A,".

(a) Formerly Ministry; see 1973 c. 36 Sch. 5 para. 8(1)

(b) S.I. 1972/1263 (N.I. 12)

(c) 1962 c. 7 (N.I.)

(d) S.R. 1976 No. 128

7. With effect from 1st August 1976, after regulation 28 of the 1976 Salaries Regulations there shall be inserted:

“28A. A teacher awarded an increment on or after 1st August 1976 shall continue to receive any additional payment to which he was entitled under the provisions of regulation 28 on the date immediately preceding his incremental date, but such additional payment shall be reduced

- (a) if the payment of the increment will increase the teacher’s remuneration to a rate exceeding £8,500 per annum, to such amount that his total remuneration as at his incremental date shall not exceed the remuneration that he would be receiving if he were paid on the maximum of his salary scale on the previous day;
- (b) on promotion, by the whole or such part thereof as will secure that his rate of remuneration at the date of promotion will not by virtue of the additional payment exceed £8,500 per annum.”.

Increments

8. With effect from 1st August 1976, regulation 29(g) of the 1976 Salaries Regulations is hereby revoked.

9. With effect from 1st August 1976, after regulation 29 of the 1976 Salaries Regulations there shall be inserted:

“29A. A teacher to whom the provisions of sub-paragraph (g) of regulation 29 of the 1976 Salaries Regulations or sub-paragraph (g) of regulation 28 of the Teachers’ Salaries Regulations (Northern Ireland) 1975(e) applied

- (a) shall, if his increment was not awarded by virtue of those provisions, be entitled subject to full-time continuous satisfactory service and to the maximum of his scale not being exceeded to receive at his incremental date occurring on or after 1st August 1976 one increment on his scale and thereafter at subsequent incremental dates to receive annual increments on his scale;
- (b) shall, if his increment was restricted by virtue of those provisions, be entitled at his incremental date occurring on or after 1st August 1976 subject to continuous full-time satisfactory service:
 - (i) to be placed on the maximum of his scale if the amount of the restricted increment granted at the date of the award of his last increment was £88 per annum; or
 - (ii) to have his salary increased by an amount equivalent to the value of one full increment of £195 per annum on his scale where the amount of the restricted increment granted at the date of the award of his last increment was £34 per annum and shall also be entitled subject to continuous full-time satisfactory service to have his salary increased on subsequent annual incremental dates by a similar amount of £195 per annum, subject however to the maximum of his scale not being exceeded.”.

Payment of part-time teachers

10. With effect from 1st August 1976, in regulation 38(1) of the 1976 Salaries Regulations after the words “annual salary” in line 4 there shall be added the words “and any allowance payable under regulation 25”.

(e) S.R. 1975 No. 59 (I, p. 300) as amended by S.R. 1975 No. 267 (II, p. 1248)

Salary placing

11. In paragraph 2(d) of Part II of Schedule 4 of the 1976 Salaries Regulations after the word "appropriate" there shall be added the words " , except where the re-appointment is made with no break in service."

12. With effect from 1st April 1976, after paragraph 2 of Part II of Schedule 4 of the 1976 Salaries Regulations there shall be inserted:

"2A. A teacher transferring to teaching service in a school in Northern Ireland from teaching service in an educational establishment in England or Wales to which the document published by Her Majesty's Stationery Office on 24th September 1975 under the title "Scales of Salaries for Teachers in Primary and Secondary Schools, England and Wales 1975" applies, shall be placed at the appropriate incremental point on his salary scale in accordance with the provisions of this Schedule as though he had transferred from teaching service in Northern Ireland."

Sealed with the Official Seal of the Department of Education for Northern Ireland on 10th February 1977.

(L.S.)

E. J. Kirkpatrick

Assistant Secretary

EXPLANATORY NOTE

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

These regulations amend the Teachers' Salaries Regulations (Northern Ireland) 1976.

Regulation 3 removes the provision in relation to a primary school for both boys and girls where in addition to the post of vice-principal one or more of the teachers (other than the principal) hold posts on scales higher than scale 1, that one of such teachers is required to be of opposite sex to that of the vice-principal.

Regulation 4 removes a similar requirement that a teacher appointed to the post of second master or second mistress as the case may be in a school must be of a particular sex having regard to the sex of the existing vice-principal.

The regulations (regulations 5 to 9) modify the restriction on the payment of increments to teachers whose remuneration amounts to £8,500 per annum or more, and makes certain related changes in the provisions concerning the additional payment referred to in regulation 28 of the principal regulations.

Regulation 10 provides for the allowance for teachers of handicapped pupils to be taken into account in calculating the payment of certain part-time teachers.

Regulations 11 and 12 alter the method of placing certain teachers on the salary scales.

Regulations 5 to 10 and 12 have retrospective effect by virtue of section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962.