

1977 No. 83

EDUCATION

**Teachers' Compulsory Absence and Maternity Leave (Amendment)
Regulations (Northern Ireland) 1977**

Made 25th March 1977

Coming into operation 6th April 1977

The Department(a) of Education (hereinafter referred to as "the Department") in exercise of the powers conferred on it by Articles 57, 58 and 125 of the Education and Libraries (Northern Ireland) Order 1972(b) and of all other powers enabling it in that behalf and after consultation with the Department(a) of Finance as required by Article 57 of the said Order hereby makes the following regulations:—

Citation and commencement

1. These regulations may be cited as the Teachers' Compulsory Absence and Maternity Leave (Amendment) Regulations (Northern Ireland) 1977 and shall come into operation on 6th April 1977.

Regulations amended

2. The regulations hereby amended are the Teachers' Compulsory Absence and Maternity Leave Regulations (Northern Ireland) 1976(c) and are hereinafter referred to as "the existing regulations".

3. For Regulation 9 of the existing regulations there shall be substituted

"9.—(1) Subject to the provisions of these regulations a full-time teacher shall during a period of maternity leave be paid salary (including any maternity pay to which she is entitled under the Industrial Relations (No. 2) (Northern Ireland) Order 1976(d)) as follows:—

- (a) in respect of the first 4 weeks, an amount equivalent to her full salary reduced by the amount of maternity allowance (including earnings related supplement and increases for dependants) payable for these weeks under the Social Security (Northern Ireland) Act 1975(e) or which would have been so payable if she had satisfied all the requirements of that Act and any regulations made thereunder;
- (b) in respect of the 5th and 6th weeks an amount equivalent to nine-tenths of her full salary reduced by the amount of maternity allowance payable for these weeks under Part I of Schedule 4 to the Social Security (Northern Ireland) Act 1975, or which would have been so payable if she had satisfied all the requirements of that Act and any regulations made thereunder;
- (c) in respect of the remaining weeks an amount equal to one-half of her full salary.

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

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

(c) S.R. 1976 No. 323

(d) S.I. 1976/2147 (N.I. 28)

(e) 1975 c. 15

(2) Where the amount of salary payable under paragraph 1(c) in respect of any period together with the amount of any maternity allowance (including earnings related supplement and increases for dependants) payable to that teacher under the Social Security (Northern Ireland) Act 1975, or which would have been so payable if she had satisfied all the requirements of that Act and any regulations made thereunder, exceeds salary at the full rate which would be payable in respect of that period the amount of salary payable under paragraph 1(c) shall be reduced by the amount of such excess."

Sealed with the Official Seal of the Department of Education for Northern Ireland on 25th March 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 provisions of Regulation 9 of the existing regulations with regard to the rate of salary payable to those teachers who qualify for payment during maternity leave.

The amendment provides that the salary paid to teachers satisfies the requirements of the Industrial Relations (No. 2) (Northern Ireland) Order 1976.