

1973 No. 86 (S.2)

**EDUCATION, SCOTLAND**
**The Remuneration of Teachers (Scotland) Order 1973**

*Made* - - - - - 19th January 1973

*Coming into Operation* 22nd January 1973

Whereas—

(1) under section 2(2) of the Remuneration of Teachers (Scotland) Act 1967(a) (hereinafter referred to as “the Act”) the Scottish Teachers Salaries Committee (hereinafter referred to as “the Committee”) constituted under section 1 of the Act for the purpose of considering the remuneration of (a) teachers employed whole-time by education authorities in the provision of school education under the Education (Scotland) Acts 1939 to 1969 and duly qualified for appointment other than temporary appointment in terms of regulations for the time being in force under the said Acts; and (b) teachers employed whole-time by education authorities in the provision of further education under the said Acts, transmitted to the Secretary of State recommendations agreed on by them with respect to the remuneration of teachers of the said descriptions;

(2) under section 2(3) of the Act the Secretary of State has prepared a draft memorandum setting out the scales and other provisions required for determining the remuneration of teachers of the said descriptions in the form in which, in his opinion, those scales and provisions should be so as to give effect to the recommendations of the Committee;

(3) the Secretary of State, as required by section 2(4) of the Act, has consulted the Committee with respect to the draft memorandum and has made such modifications thereof as were requisite for giving effect to representations made by the Committee;

(4) the Secretary of State has arranged for a memorandum setting out the requisite scales and other provisions in the form of the draft to be published on 18th January 1973 by Her Majesty’s Stationery Office under the title “SCOTTISH TEACHERS SALARIES MEMORANDUM 1973”;

Now therefore, the Secretary of State, in exercise of the powers conferred on him by section 2(4)(b) and section 8(2) and (3) of the Act and of all other powers enabling him in that behalf, hereby orders as follows—

*Citation and commencement*

1. This order may be cited as the Remuneration of Teachers (Scotland) Order 1973 and shall come into operation on 22nd January 1973.

*Interpretation*

2.—(1) In this order—

“education authority” has the meaning assigned to it by section 145(16) of the Education (Scotland) Act 1962(a);

“registered” has the meaning assigned to it by section 17(1) of the Teaching Council (Scotland) Act 1965(b); and

“regulations of 1966” means the Teachers’ Salaries (Scotland) Regulations 1966(c).

(2) The Interpretation Act 1889(d) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

(3) Section 38 of the Interpretation Act 1889 shall apply as if this order were an Act of Parliament and as if the orders revoked by this order were Acts of Parliament repealed thereby.

*Remuneration of teachers*

3.—(1) Subject to the provisions of paragraph (2) of this article, the remuneration payable to teachers employed whole-time by education authorities in or in connection with (a) school education under the Education (Scotland) Acts 1939 to 1969 and duly qualified for appointment other than temporary appointment or (b) further education under the said Acts shall with effect from 22nd January 1973 be determined in accordance with the scales and other provisions set out in the memorandum published by Her Majesty’s Stationery Office as aforesaid.

(2) In relation to the provisions of the preliminary Note to, and of Serial Numbers 5, 6, 8 and 9 of, Part A of Appendix V to the said Memorandum and, for the purposes of the said provisions, in relation to paragraphs 3(1) and 25 and Part B of Appendix V of the said Memorandum paragraph (1) of this article shall apply as if for 22nd January 1973 there were substituted the date ‘1st August 1972’.

*Revocations*

4.—(1) The Remuneration of Teachers (Scotland) Order 1970(e), the Remuneration of Teachers (Scotland) Amendment Order 1971(f), the Remuneration of Teachers (Scotland) Amendment No. 2 Order 1971(g) and the Remuneration of Teachers (Scotland) Amendment Order 1972(h) are hereby revoked: provided that such revocation shall not prevent the Secretary of State or the education authority from exercising any of their functions under the said orders in respect of employment of any teachers to which the said orders apply in the period during which the said orders were in operation.

(2) Notwithstanding the provisions of the last foregoing paragraph any power, whether under the said orders or under the regulations of 1966 or under regulations made before the regulations of 1966, to reassess the length of service of a

(a) 1962 c. 47.

(c) S.I. 1966/831 (1966 II, p. 1919).

(e) S.I. 1970/993 (1970 II, p. 3133).

(g) S.I. 1971/669 (1971 I, p. 1772).

(b) 1965 c. 19.

(d) 1889 c. 63.

(f) S.I. 1971/20 (1971 I, p. 12).

(h) S.I. 1972/1281 (1972 II, p. 3843).

teacher for the purpose of the calculation of his salary in respect of employment in the period during which the said orders, or the regulations of 1966, or the regulations made before the regulations of 1966 were in operation shall not be exercised save in exceptional circumstances.

Given under the seal of the Secretary of State for Scotland.

(L.S.)

*J. M. Fearn,*  
Under Secretary.

Scottish Education Department,  
St Andrew's House,

19th January 1973.

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#### EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order brings into operation with effect from 22nd January 1973 the scales and other provisions contained in a memorandum published by Her Majesty's Stationery Office relating to the remuneration of registered teachers employed whole-time by education authorities in schools and of teachers employed whole-time by education authorities in further education.

The memorandum gives effect to recommendations made to the Secretary of State by the Scottish Teachers Salaries Committee for a restatement of the scales and other provisions set out in the Scottish Teachers' Salaries Memorandum 1970, as amended, subject to certain modifications of the basis of calculation of responsibility allowances for certain posts of responsibility.

The scales and other provisions of the memorandum in so far as specified in article 3(2) have been given retrospective effect by virtue of the power in section 8(3) of the Remuneration of Teachers (Scotland) Act 1967.

Article 4 of the Order revokes the Remuneration of Teachers (Scotland) Order 1970, as amended, but provides for the continued exercise by the Secretary of State and education authorities of functions under the 1970 Order, as amended, in relation to employment during the currency of that Order, as amended.

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