

**1978 No.1747 (S.153)**
**EDUCATION, SCOTLAND**
**The Remuneration of Teachers (Scotland) Order 1978**

*Made - - - - 29th November 1978*  
*Coming into Operation 14th December 1978*

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 1976 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 14th December 1978 by Her Majesty’s Stationery Office under the title “SCOTTISH TEACHERS SALARIES MEMORANDUM 1978”;

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 1978 and shall come into operation on 14th December 1978.

*Interpretation*

2.—(1) In this order—  
 “education authority” has the meaning assigned to it by section 145(16) of the Education (Scotland) Act 1962(b) as amended;

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(a) 1967 c. 36

(b) 1962 c. 47.

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

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

(2) The Interpretation Act 1889(c) 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. 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 1976 and duly qualified for appointment other than temporary appointment, or (b) further education under the said Acts shall with effect from 1st April 1978 be determined in accordance with the scales and other provisions set out in the memorandum published by Her Majesty’s Stationery Office as aforesaid.

4.—(1) The orders mentioned in the Schedule to this order 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 orders so revoked in respect of employment of any teachers to whom those orders apply in the period during which those orders were in operation.

(2) Notwithstanding the provisions of the last foregoing paragraph any power, whether under the orders so revoked or under the regulations of 1966 or under regulations made before the regulations of 1966, to reassess the length of service of a teacher for the purpose of the calculation of his salary in respect of employment in the period during which the orders so revoked 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.)

*I. M. Wilson,*  
Under Secretary.

Scottish Education Department,  
Edinburgh.  
29th November 1978.

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(a) 1965 c. 19.

(b) S.I. 1966/831.

(c) 1889 c. 63.

*Article 4(1)*

## SCHEDULE

	<i>Orders revoked</i>	<i>Reference</i>
The Remuneration of Teachers (Scotland) Order 1976		S.I. 1976/692
The Remuneration of Teachers (Scotland) Amendment Order 1976		S.I. 1976/1959
The Remuneration of Teachers (Scotland) Amendment Order 1977		S.I. 1977/44
The Remuneration of Teachers (Scotland) Amendment (No. 2) Order 1977		S.I. 1977/1530
The Remuneration of Teachers (Scotland) Amendment Order 1978		S.I. 1978/68

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## EXPLANATORY NOTE

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

This Order brings into operation with effect from 1st April 1978 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 since the publication of the Scottish Teachers Salaries Memorandum published on 18 May 1976.

The Order has 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 1976, as amended, but provides for the continued exercise by the Secretary of State and education authorities of functions under the 1976 Order, as amended, in relation to employment during the currency of that Order, as amended.

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