
STATUTORY INSTRUMENTS

1998 No. 1884

EDUCATION, ENGLAND AND WALES

**The Education (School Teachers' Pay
and Conditions) (No. 2) Order 1998**

<i>Made</i>	- - - -	<i>30th July 1998</i>
<i>Laid before Parliament</i>		<i>3rd August 1998</i>
<i>Coming into force</i>	- -	<i>1st September 1998</i>

Whereas the review body appointed under section 1(1) of the School Teachers' Pay and Conditions Act 1991⁽¹⁾ ("the Act") have made a report following the reference to them of certain matters;

And whereas the Secretary of State has consulted, in accordance with section 2(1) and (2) of the Act, such associations of local education authorities, such bodies representing the interests of governors of voluntary, grant-maintained and grant-maintained special schools and such bodies representing school teachers as appeared to him to be concerned;

Now, therefore, the Secretary of State, in exercise of the powers conferred by sections 2(1), (3) and (4) and 5(4) of the Act hereby makes the following Order:

Citation, commencement and revocation

1.—(1) This Order may be cited as the Education (School Teachers' Pay and Conditions) (No. 2) Order 1998 and shall come into force on 1st September 1998.

(2) The Education (School Teachers' Pay and Conditions) (No. 2) Order 1997⁽²⁾ and the Education (School Teachers' Pay and Conditions) Order 1998⁽³⁾ are hereby revoked.

Application

2. This Order applies to school teachers (as defined in section 5(1) and (2) of the School Teachers' Pay and Conditions Act 1991) in England and Wales.

(1) 1991 c. 49. The provisions of the Act extend to grant-maintained special schools by virtue of S.I.1994/653.
(2) S.I. 1997/1789.
(3) S.I. 1998/903.

School Teachers' Pay and Conditions

3.—(1) It is hereby directed that the provisions set out in the document published by Her Majesty's Stationery Office and entitled "School Teachers' Pay and Conditions Document 1998"⁽⁴⁾ ("the Document") shall, save for paragraph 2.3 of the Document, have effect from 1st September 1998.

(2) Paragraph 2.3 of the Document (which deals with the entitlement to pay of graduate and registered teachers) shall have effect from 1st December 1997.

30th July 1998

Estelle Morris
Minister of State,
Department for Education and Employment

EXPLANATORY NOTE

(This note is not part of the Order)

This Order, which is made under section 2(1) of the School Teachers' Pay and Conditions Act 1991 ("the Act") refers to a document entitled "School Teachers' Pay and Conditions Document 1998" ("the Document") published by Her Majesty's Stationery Office, which is obtainable from Government book shops and through booksellers.

The Order directs that the provisions set out in the Document, other than those in paragraph 2.3 of the Document, shall have effect from 1st September 1998. The provisions in paragraph 2.3 of the Document (which deal with the entitlement to pay of graduate and registered teachers) have effect retrospectively from 1st December 1997. Such retrospective effect is authorised by section 2(4)(f) of the Act.

The Order applies to all school teachers (as defined in section 5(1) and 5(2) of the Act and including teachers employed by education associations, joint committees and the governing bodies of groups of grant-maintained and grant-maintained special schools) in England and Wales. By virtue of section 2(6)(a) of the Act, the remuneration of school teachers to whom the Order applies is to be determined and paid to them by local education authorities, or, in the case of school teachers in grant-maintained or grant-maintained special schools, by the governing bodies of such schools, in accordance with the scales and other provisions set out in the Document. By virtue of section 232(5) of the Education Act 1996 and section 31(7) of the School Inspections Act 1996 the effect of section 21(6)(a) is that the remuneration of school teachers employed by joint committees and education associations respectively is to be determined and paid to them by that joint committee or education association. By virtue of section 2(6)(b) of the Act, the provisions set out in the Document relating to the statutory conditions of employment have effect as terms of the contracts of employment of school teachers to whom the Order applies.