



School Teachers' Pay and Conditions Act 1991

1991 CHAPTER 49

5 Interpretation, orders and application of provisions of Education Act 1944

(1) In this Act—

“contract of employment”, in relation to a school teacher, means the contract, whether a contract of service or for services, under which he performs his duties as teacher;

“pay and conditions order” has the meaning given by section 2(3) above;

“the review body” has the meaning given by section 1(1) above;

“school teacher” means, subject to subsection (2) below, a teacher employed by—

(a) a local education authority, or

(b) the governing body of a voluntary or grant-maintained school,

in the provision of primary or secondary education;

“school which has a delegated budget” has the same meaning as in Chapter III of Part I of the Education Reform Act 1988; and

“statutory conditions of employment” has (subject to subsection (3) below) the meaning given by section 1(2) above;

and other expressions used in this Act have the same meaning as in the Education Act 1944.

(2) A person employed as a teacher in an establishment maintained by a local authority in the exercise of a social services function is not a school teacher for the purposes of this Act.

(3) For the purposes of this Act, the Secretary of State may by order made by statutory instrument provide that, with effect from the date on which the order comes into force or such later date as may be specified in or determined under the order,—

(a) any payment or other benefit specified in the order is, or as the case may be is not, to be regarded as remuneration; or

Status: This is the original version (as it was originally enacted).

- (b) any matter is, or as the case may be is not, to be regarded as falling within the professional duties or working time of school teachers.
- (4) An order under any provision of this Act may—
 - (a) make different provision for different cases, including different provision for different areas; and
 - (b) contain such incidental, supplemental or transitional provisions as the Secretary of State thinks fit.
- (5) In sections 68 and 99(1) of the Education Act 1944 (powers of Secretary of State in relation to functions of certain bodies under that Act), any reference to that Act includes a reference to this Act.