

## 1976 No. 692 (S. 60)

## EDUCATION, SCOTLAND

**The Remuneration of Teachers (Scotland) Order 1976**

*Made* - - - - - 3rd May 1976

*Coming into Operation* 18th May 1976

Whereas—

(1) under section 2(2) of the Remuneration of Teachers (Scotland) Act 1967<sup>(a)</sup> (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 May 1976 by Her Majesty's Stationery Office under the title “SCOTTISH TEACHERS SALARIES MEMORANDUM 1976”;

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 1976 and shall come into operation on 18th May 1976.

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(a) 1967 c. 36.

*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 1st April 1975 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 paragraphs 18, 20 and paragraphs 2 and 3 of Part B of Appendix I to the said Memorandum paragraph (1) of this article shall apply as if for the date “1st April 1975” there was substituted the date “24th May 1974”.

**4.—(1)** The Remuneration of Teachers (Scotland) Order 1973(e), the Remuneration of Teachers (Scotland) Amendment Order 1973(f), the Remuneration of Teachers (Scotland) Amendment Order 1974(g) and the Remuneration of Teachers (Scotland) Amendment Order 1975(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. 1973/86 (1973 I, p. 465).

(g) S.I. 1974/1721 (1974 III, p. 6165).

(b) 1965 c. 19.

(d) 1889 c. 63.

(f) S.I. 1973/544 (1973 I, p. 1732).

(h) S.I. 1975/1928 (1975 III, p. 7174).

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. B. Hume,*  
Under Secretary.

Scottish Education Department,  
St. Andrew's House.

3rd May 1976.

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#### EXPLANATORY NOTE

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

This Order brings into operation with effect from 1st April 1975 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—

- (i) For amendment to the salary scales of Heads of Departments, Principals and Depute-Principals of Further Education Establishments with effect from 24th May 1974;
- (ii) for amendments to salary scales, additions to scales, responsibility allowances and other provisions with effect from 1st April 1975;
- (iii) for changes to the provisions regarding certain teachers in special schools with effect from 1st August 1975;
- (iv) for the addition of a special supplement to the salary scales and to other salaries with effect from 1st April 1976.

The scales and other provisions 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 1973, as amended, but provides for the continued exercise by the Secretary of State and education authorities of functions under the 1973 Order, as amended, in relation to employment during the currency of that Order, as amended.

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