1987 No. 385

EDUCATION

Teachers' Salaries (Reorganisation Allowances) Regulations (Northern Ireland) 1987

Made . . . . . *28th September 1987*

Coming into operation . . . *1st October 1987*

The Department of Education, in exercise of the powers conferred on it by Articles 69(1) and (4) and 134(1) of the Education and Libraries (Northern Ireland) Order 1986(**a**) and of every other power enabling it in that behalf, hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Teachers' Salaries (Reorganisation Allowances) Regulations (Northern Ireland) 1987 and shall come into operation on 1st October 1987.

Revocation

2. The Teachers' Salaries (Reorganisation Allowances) Regulations (Northern Ireland) 1976(**b**) are hereby revoked.

Interpretation

3.—(1) In these regulations—

"acting allowance" means an allowance payable under regulation 14 of the salaries regulations but includes an acting allowance payable under the provisions of the regulations which from time to time governed the salaries and allowances of teachers in grant-aided schools and of peripatetic and supply teachers;

"actual salary" has the meaning assigned to it by regulation 6(3);

"allowance" means an allowance, other than a promotion allowance, payable under the salaries regulations;

"the appropriate date" has the meaning assigned to it by regulation 5(3);

"the date of reorganisation" has the meaning assigned to it by regulation 5(3);

"emoluments" means salary together with any acting allowance to which a teacher was entitled for a continuous period of not less than 2 years immediately before the date of reorganisation and any allowance payable under regulation 12 of the salaries regulations;

"notional salary" has the meaning assigned to it by regulation 6(2);

(**a**) S.I. 1986/594 (N.I. 3)
(**b**) S.R. 1976 No. 237

"reorganisation" means rearrangement of educational facilities carried out with the approval of the Department by a board or by the managers of a school;

"salaries regulations" means the Teachers' Salaries Regulations (Northern Ireland) 1987(**a**);

"salary" means—

(*a*) salary on the main scale together with any promotion allowance payable under the salaries regulations other than a promotion allowance payable under regulation 10(4)(*b*) of those regulations; or

(*b*) salary payable to a principal or vice-principal under regulation 7 or 8 of the salaries regulations;

"school" means a grant-aided school not being a technical intermediate school;

"the superseded regulations" means the Teachers' Salaries (Reorganisation Allowances) Regulations (Northern Ireland) 1976;

"teacher" means a person who at the date of reorganisation was employed as a full-time teacher (other than a temporary teacher) in a school or as a full-time peripatetic or supply teacher (other than a temporary peripatetic or supply teacher).

(2) Other expressions which have meanings assigned to them by the salaries regulations shall have the same respective meanings for the purposes of these regulations.

Reorganisation allowance

4. Where a teacher suffers a reduction in the rate of his emoluments (whether or not such reduction follows upon a change of employment), and the Department is satisfied that such reduction has been directly caused by reorganisation he shall, while he is in such employment as is described in regulation 6(3) and subject to and in accordance with these regulations, be paid an allowance to be known as a reorganisation allowance.

Application

5.—(1) A teacher who suffers a reduction in the rate of his emoluments may within one year from the appropriate date as defined in paragraph (3) or within such longer period as the Department may determine, apply to the Department for a reorganisation allowance.

(2) Where it appears to the Department that a reduction in the rate of emoluments of a teacher has been directly caused by movement of population by reason of a slum clearance scheme, redevelopment scheme, or the execution or proposed execution of any works in the exercise of statutory powers or by reason of such other exceptional circumstances as the Department shall consider proper, the Department may, for the purposes of regulation 4 and of any application under paragraph (1), deem such reduction to have been directly caused by reorganisation.

(a) S.R. 1987 No. 384