1986 No. 280

EDUCATION

Further Education Teachers' Salaries (Amendment No. 2) Regulations (Northern Ireland) 1986

Made	*27th August 1986*
Coming into operation	*30th September 1986*

The Department of Education, in exercise of the powers conferred on it by Articles 69(1) and (4), 70(2) and 134(1) of the Education and Libraries (Northern Ireland) Order 1986(**a**), and by section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962(**b**) 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 Further Education Teachers' Salaries (Amendment No. 2) Regulations (Northern Ireland) 1986 and shall come into operation on 30th September 1986 and shall have effect from 1st April 1986.

Revocation

2. The regulations set out in Schedule 2 are hereby revoked.

Amendment to the Further Education Teachers' Salaries Regulations (Northern Ireland) 1985

3. The Further Education Teachers' Salaries Regulations (Northern Ireland) 1985(**c**) shall be amended as follows:—

(1) in regulation 11 (heads of department) for the sums "£1,416" and "£1,257" there shall be substituted "£1,494" and "£1,326" respectively;

(2) in regulation 12 (lecturer grade 1) for "30th November 1985" and "£498" shall be substituted respectively "31st March 1986" and "£525";

(3) in regulation 19 (payment of unqualified teachers) for "£4,425" there shall be substituted "£4,668";

(4) in regulation 20(2) (payment of part-time teachers) for the sums "£13·60, £11·90 and £8·52" there shall be substituted "£14.36, £12.57 and £9.05" respectively;

(5) in regulation 26 (safeguarding of salaries) for "30th November 1985" there shall be substituted "31st March 1986";

(6) after regulation 26 there shall be inserted:

"**27.**—(1) Subject to paragraph (3) where, as a result of the closure or reorganisation of a grant-aided school or an institution of further education, a teacher who from 1st September 1986—

(*a*) loses his post and is immediately appointed to another post as a teacher in the provision of further education by an Education and Library Board; or

(**a**) S.I. 1986/594 (N.I. 3)
(**b**) 1962 c. 7 (N.I.)
(**c**) S.R. 1985 No. 304 as amended by S.R. 1986 No. 38

(*b*) would, but for this paragraph, suffer a diminution in salary or be placed on a salary scale with a maximum that is lower than that of the scale he was on immediately before such reorganisation or closure,

shall for the purposes of the determination of his salary and any allowances to which he is entitled, be deemed to continue to hold the post he held immediately before such closure or reorganisation.

(2) Subject to paragraph (3) where, as a result of an event other than the closure or reorganisation of a grant-aided school or an institution of further education, a teacher who—

(*a*) loses his post and is immediately appointed to another post as a teacher in the provision of further education by an Education and Library Board; or

(*b*) would, but for this paragraph, suffer a diminution in salary or be placed on a salary scale with a maximum that is lower than that of the scale he was on immediately before the occurrence of such an event,

shall, if the Education and Library Board by whom he is employed consents, for the purposes of the determination of his salary and any allowances to which he is entitled, be deemed to continue to hold the post he held immediately before such an event.

(3) Paragraphs (1) and (2) shall not apply or, where appropriate, shall cease to apply to a teacher—

(*a*) who, without reasonable cause, refuses to accept an alternative post in an institution of further education;

(*b*) who leaves a post where he is entitled to the benefits of paragraph (1) or (2) except for the purposes of taking up another teaching post under arrangements approved by the Education and Library Board by whom he is employed;

(*c*) who immediately before the event which, but for this sub-paragraph, would cause paragraph (1) or (2) to apply in his case—

(i) held a teaching post to which he had been appointed for a fixed term or on a temporary basis; or

(ii) held a teaching post to which he had been appointed on an acting basis for less than 2 years,

(*d*) whose salary as determined under paragraph (1) or (2) would fall below that applicable in his case under other provisions of these regulations; or

(*e*) if the maximum of any salary scale on which he was placed by virtue of paragraph (1) or (2) ceases to be higher than that of the salary scale he would otherwise be on.''

(7) in Schedule 1 (salary scales and salary ranges) for paragraphs 1, 6 and 7 there shall be substituted respectively the paragraphs 1, 6 and 7 of Schedule 1 of this amendment;

(8) in Schedule 2 Part I (transfer to salary scales) for ''1st December 1985'' there shall be substituted ''1st April 1986'';

(9) in Schedule 2 Part II (salary placing of teachers to whom Part I does not apply)—

(*a*) for ''1st December 1985'' in all places where it occurs there shall be substituted ''1st April 1986'';

(*b*) paragraph 2 shall be renumbered ''2(1)'';

(*c*) in paragraph 8(1)(*c*) the words ''a sum equal to 1.5 increments in the lecturer grade II scale'' shall be deleted and the words ''an incremental credit calculated in accordance with paragraph 14(1)'' inserted;