1983 No. 141

EDUCATION

Institutions of Further Education Salaries (Amendment No. 2) Regulations (Northern Ireland) 1983

Made	*6th June 1983*
Coming into operation . . .	*29th June 1983*

The Department of Education, in exercise of the powers conferred on it by Articles 57(1) and (4) and 125(1) of the Education and Libraries (Northern Ireland) Order 1972(**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 Institutions of Further Education Salaries (Amendment No. 2) Regulations (Northern Ireland) 1983 and shall come into operation on 29th June 1983 and shall have effect on and from 1st April 1983.

Amendment of Institutions of Further Education Salaries Regulations (Northern Ireland) 1981

2. The Institutions of Further Education Salaries Regulations (Northern Ireland) 1981(**c**) shall be amended as follows:—

(1) in regulation 11 (head of department) in paragraph (1) for "£1,212" there shall be substituted "£1,266" and in paragraph (2) for "£1,077" there shall be substituted "£1,125";

(2) in regulation 12 (lecturer grade I) for "31st March 1982" and "£426" there shall be substituted respectively "31st March 1983" and "£444";

(3) for regulation 18 (interpretation) there shall be substituted—

"**18.** In regulations 19 and 20—

(*a*) "teacher" means a full-time teacher other than a temporary teacher who is paid on a working day basis in accordance with paragraph (1) of regulation 23;

(*b*) "salary" includes any allowances to which a teacher is entitled under regulations 10, 11 and 12 and any reorganisation allowance;

(*c*) "self-certificate" means a statement made by a teacher in writing that he has been unfit for work because of illness and giving the duration and nature of the illness.";

(4) in regulation 19 (absence due to illness) for paragraphs (5) and (6) there shall be substituted:

"(5) A teacher who has been ill immediately preceding a vacation period and has ceased to be entitled to salary at the full rate or half rate and who recovers from illness during the vacation period shall be regarded as having returned to duty on the day he is certified medically fit to do so by means of a medical certificate obtained for that purpose and salary at the full rate shall be paid to him from that date provided he actually resumes duty on the first day after the said vacation period.

(**a**) S.I. 1972/1263 (N.I. 12); a new Article 57 was substituted by Article 9 of S.I. 1980/1958 (N.I. 16)
(**b**) 1962 c. 7 (N.I.)
(**c**) S.R. 1981 No. 138 as amended by S.R. 1982 No. 13; S.R. 1982 No. 163 and S.R. 1983 No. 1

(6)(*a*) Subject to sub-paragraph (*b*) a teacher who is absent because of illness shall not be entitled to salary for more than 3 successive calendar days unless he furnishes to the Department—

(i) a self-certificate for absences of less than 8 successive calendar days; or

(ii) a medical certificate, giving the nature of the illness and certifying the teacher's incapacity for work, for absences of 8 or more calendar days.

(*b*) A teacher who has been absent because of illness for a total of 20 working days in any year ending 31st March and who has not furnished a medical certificate in respect of any of those 20 days shall not be entitled to salary for any subsequent days of absence through illness unless he furnishes a medical certificate.'';

(5) in regulation 22 (credit for periods of absence) for paragraph (2) there shall be substituted:

''(2) Subject to paragraph (3), a period of absence in respect of which salary is not paid shall not be regarded as teaching service for the purposes of these Regulations unless the Department shall determine otherwise.

(3) A period of absence because of pregnancy or confinement in respect of which salary is not paid shall be regarded as teaching service if throughout the period the teacher enjoyed a right to return to work under—

(*a*) Articles 28 to 30A of and Schedule 2 to the Industrial Relations (No. 2) (Northern Ireland) Order 1976(**a**); or

(*b*) regulation 6 of the Teachers' Salaries (Maternity Absence) Regulations (Northern Ireland) 1980(**b**).'';

(6) in regulation 24(1) (payment of unqualified teachers) for ''£3,705'' there shall be substituted ''£3,927'';

(7) in regulation 25(2) (payment of part-time teachers) in the table for the rates per hour of ''£11.57'', ''£11.57'', ''£10.12'' and ''£7.21'' there shall be substituted respectively ''£12.15'', ''£12.15'', ''£10.63'' and ''£7.58'';

(8) in regulation 27 (safeguarding of salaries) for ''31st March 1982'' there shall be substituted ''31st March 1983'';

(9) for Schedule 1 (salary scales and salary ranges) there shall be substituted the Schedule;

(10) in Schedule 2 Part I (transfer to salary scales) for ''1st April 1982'' in all places where it occurs there shall be substituted ''1st April 1983'';

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

(*a*) for ''1st April 1982'' in all places where it occurs there shall be substituted ''1st April 1983'';

(*b*) in paragraph 1(2)(*b*) for ''31st March 1982'' there shall be substituted ''31st March 1983''.

Sealed with the Official Seal of the Department of Education for Northern Ireland on 6th June 1983.

(L.S.) *T. Johnston*

Assistant Secretary

(a) S.I. 1976/2147 (N.I. 28) as amended by S.I. 1982/528 (N.I. 8) Articles 13 and 14
(b) S.R. 1980 No. 306