**1982 No. 163**

**EDUCATION**

# Institutions of Further Education Salaries (Amendment No. 2) Regulations (Northern Ireland) 1982

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| *Made* . . . . . | *1st June 1982* |
| *Coming into operation* . . . | *29th June 1982* |

The Department(a) 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(b) and by section 18 of the Administrative and Financial Provisions Act (Northern Ireland) 1962(c) 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) 1982 and shall come into operation on 29th June 1982 and except where otherwise provided shall have effect on and from 1st April 1982.

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

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

(1) In regulation 11 (Head of department) in paragraph (1) for "£1,155" there shall be substituted "£1,212" and in paragraph (2) for "£1,026" there shall be substituted "£1,077".

(2) In regulation 12 (Lecturer grade I) for "31st March 1981" and "£405" there shall be substituted respectively "31st March 1982" and "£426".

(3) For regulation 13 (Award of increments) there shall be substituted:

"**13.**—(1) After a teacher's rate of salary has been determined increments on the scale shall, subject to the Department's approval and this regulation, be granted.

(2) The normal incremental date of a teacher, other than a temporary teacher paid on a daily basis in accordance with regulation 23(1), shall fall on the first day of a calendar month.

(3) A teacher, other than a temporary teacher paid on a daily basis in accordance with regulation 23(1), on any of the salary scales set out in Schedule 1 who has no previous service or experience at the date of his appointment shall, subject to satisfactory continuous full-time service, qualify in the following year for the award of his first increment on the first of the month corresponding to that in which he was appointed, provided that at that date his service amounts to at least 11 months and 15 days, but if at that date his service amounts to 11 months and a lesser number of days than 15, the increment will normally become due on the first day of the following month.

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(a) Formerly Ministry: *see* Northern Ireland Constitution Act 1973 (c. 36) Sch. 5 para. 8(1)
(b) S.I. 1972/1263 (N.I. 12); a new Article 57 was substituted by Article 9 of S.I. 1980/1958 (N.I. 16)
(c) 1962 c. 7 (N.I.)
(d) S.R. 1981 No. 138 as amended by S.R. 1982 No. 13

(4) Where a teacher, other than a temporary teacher paid on a daily basis in accordance with regulation 23(1), is placed or replaced on any of the salary scales set out in Schedule 1 and for this purpose his past service and experience is assessed under Schedule 2 the date on which the next complete year of service would be attained shall be calculated and if the following day falls on any of the first fifteen days of a month, his increment shall be awarded from the first day of that month but otherwise from the first day of the following month subject to satisfactory continuous full-time service in the meantime.

(5) Where the aggregate of any periods of absence without pay of a teacher, other than a temporary teacher paid on a daily basis in accordance with regulation 23(1), from his teaching post in a period of twelve months terminating on his normal incremental date—

(*a*) amounts to fifteen days or less it shall be counted as teaching service for the purpose of the award of increments; or

(*b*) amounts to more than fifteen days but less than thirty days the teacher's incremental date shall be retarded by one month; or

(*c*) amounts to thirty days or more the teacher's incremental date shall be retarded by one month for each complete period of thirty days and by a further month where the residue of the period amounts to more than fifteen days but less than thirty days.

(6) A temporary teacher paid on a daily basis in accordance with regulation 23(1) shall be awarded an increment with effect from the first working day following completion of 190 working days satisfactory service.

(7) An increment may at any time be withheld if a teacher's service is considered by the Department to be unsatisfactory.

(8) If an increment is withheld at any incremental date or at any two or more successive incremental dates and if, at the next following incremental date, the teacher's service is considered by the Department to have reached a satisfactory standard he may be allowed two increments (instead of one increment) on the appropriate scale.''.

(4) With effect on and from 14th June 1982 in regulation 19 (Absence due to illness) for paragraphs (5) and (6) there shall be substituted:

''(5) If a teacher forwards to the Department a certificate certifying that during a vacation period or for any part of such period he was in all respects fit to undertake teaching duties, he shall be regarded as having returned to duty from the date so certified and salary at the full rate shall be paid to him from that date provided he actually resumes duty on the day the school re-opens after the vacation;

(6) A teacher who is absent because of illness shall not be entitled to salary unless a certificate, specifying the nature of the illness and certifying the incapacity of the teacher for the performance of duty, is furnished to the Department.''.

(5) For regulation 23 (Payment of temporary teachers) there shall be substituted:

''**23.**—(1) A temporary teacher shall, except as provided in paragraphs (2) and (3), be paid for each working day at the rate of 1/190th of the annual salary which he would receive if he were employed in a permanent capacity.

(2) A temporary teacher may with the approval of the Department be paid salary as though he were employed in a permanent capacity.

(3) A temporary teacher who is appointed for a period of not less than one year during the absence of a teacher—

(*a*) to whom leave of absence has been granted for approved purposes including attendance at an approved course of study or training, or