1981 No. 103

EDUCATION

Teachers' Salaries Regulations (Northern Ireland) 1981

Made . . . . . 30th March 1981

Coming into operation . . . 29th April 1981

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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:

PRELIMINARY

Citation and commencement

1. These regulations may be cited as the Teachers' Salaries Regulations (Northern Ireland) 1981 and shall come into operation on 29th April 1981 and shall have effect on and from 1st April 1981.

(**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.)

Revocation

2. The Teachers' Salaries Regulations (Northern Ireland) 1978(**a**) are hereby revoked.

Interpretation

3.—(1) In these regulations—

"approved" means approved by the Department for the purposes of the context;

"assistant teacher" means a qualified teacher who is not a principal;

"board" means an education and library board established under Article 3 of the Order;

"the Department" means the Department of Education;

"employing authority" means a board or, in the case of a school not under the management of a board, the managers of the school;

"incremental point" means the rate of salary related to any of the points on the scales as shown in Schedule 1;

"the Order" means the Education and Libraries (Northern Ireland) Order 1972;

"peripatetic teacher" shall have the meaning assigned to it by Article 53(2)(*a*) of the Order;

"points category" means the points category as determined in accordance with regulation 13 of these regulations;

"qualified teacher" means a teacher who is recognised as a qualified teacher in the school in which he is employed or as a qualified peripatetic or supply teacher;

"recognised" means recognised by the Department for the purposes of the context;

"reorganisation" means rearrangement of educational facilities carried out with the approval of the Department by an employing authority;

"supply teacher" shall have the meaning assigned to it by Article 53(2)(*b*) of the Order;

"temporary teacher" means a full-time teacher in respect of whose employment an agreement is not required under Article 58 of the Order;

"unqualified teacher" means a teacher who is not eligible for recognition as a qualified teacher in the school in which he is employed or as a qualified peripatetic or supply teacher;

"working day" means a day on which a school is in operation or such other day as the Department may determine to be a working day for the purposes of these regulations;

"1975 Salaries Regulations" means the Teachers' Salaries Regulations (Northern Ireland) 1975(**b**);

"1976 Salaries Regulations" means the Teachers' Salaries Regulations (Northern Ireland) 1976(**c**);

"1978 Salaries Regulations" means the Teachers' Salaries Regulations (Northern Ireland) 1978.

(**a**) S.R. 1978 No. 129 as amended by S.R. 1979 No. 245; S.R. 1980 No. 78; S.R. 1980 No. 219 and S.R. 1980 No. 295

(**b**) S.R. 1975 No. 59 as amended by S.R. 1975 No. 267

(**c**) S.R. 1976 No. 128 as amended by S.R. 1977 No. 29 and S.R. 1977 No. 140

(2) In these regulations, except where otherwise provided—

(*a*) "salary" shall not, except in regulations 25 to 27, include any allowance under regulation 18(2), 20 or 21 or a reorganisation allowance payable under the Teachers' Salaries (Reorganisation Allowances) Regulations (Northern Ireland) 1976(**a**) or any regulations superseding those regulations;

(*b*) "teacher" means a full-time qualified teacher; and

(*c*) the rates indicated for salaries, allowances and increments are rates per annum.

(3) A grammar school containing a preparatory department in addition to a secondary department shall be regarded as a single school for the purposes of these regulations.

(4) Other expressions to which meanings have been assigned in the Nursery Schools Regulations (Northern Ireland) 1973(**b**), the Nursery Classes in Primary Schools Regulations (Northern Ireland) 1973(**c**), the Primary Schools (General) Regulations (Northern Ireland) 1973(**d**), the Handicapped Pupils and Special Schools Regulations (Northern Ireland) 1973(**e**), the Secondary Schools (Grant Conditions) Regulations (Northern Ireland) 1973(**f**), shall have for the purposes of these regulations the same respective meanings in relation to the schools to which those regulations respectively apply.

Application

4. These regulations shall apply to teachers employed in grant-aided schools, other than technical intermediate schools, being schools in respect of which regulations may be made under Article 57(1) of the Order, and to peripatetic and supply teachers.

PLACING OF TEACHERS ON THE SALARY SCALES

Salary scales

5. The scales of salaries for teachers shall be those set out in Schedule 1.

Placing on scales

6. A teacher shall be placed on the appropriate salary scale in accordance with the provisions of Schedule 2, and Part II of that Schedule shall apply to a teacher who does not come within the provisions of Part I of that Schedule.

Appropriate salary scales

7. The appropriate salary scale—

(*a*) for a principal of a primary or secondary school shall, subject to the provisions of regulation 9, be determined in accordance with regulation 13 and Part III of Schedule 1, and for a principal of a special school shall, subject to the provisions of regulation 9, be determined in accordance with regulation 15, Schedule 3 and Part III of Schedule 1;

(*b*) for a vice-principal, second master or second mistress of a primary or secondary school shall, subject to the provisions of regulation 9, be

(**a**) S.R. 1976 No. 237
(**b**) S.R. & O. (N.I.) 1973 No. 400, as amended by S.R. 1974 No. 104
(**c**) S.R. & O. (N.I.) 1973 No. 401
(**d**) S.R. & O. (N.I.) 1973 No. 402, as amended by S.R. 1974 No. 105
(**e**) S.R. & O. (N.I.) 1973 No. 390, as amended by S.R. 1974 No. 81
(**f**) S.R. & O. (N.I.) 1973 No. 403, as amended by S.R. 1974 No. 107; S.R. 1974 No. 302; S.R. 1975 No. 183; S.R. 1976 No. 77; S.R. 1976 No. 190; S.R. 1977 No. 178; S.R. 1978 No. 175; S.R. 1979 No. 249 and S.R. 1980 No. 218

determined in accordance with regulation 13 and Part II of Schedule 1, and for a vice-principal, second master or second mistress of a special school shall, subject to the provisions of regulation 9, be determined in accordance with regulation 15, Schedule 3 and Part II of Schedule 1; and

(*c*) for an assistant teacher, other than a vice-principal, second master or second mistress, shall be any of the scales set out in Part I of Schedule 1.

Teachers to be paid on any of the scales 2 to 4, or as senior teachers in primary and secondary schools

8.—(1) The number of teachers in a primary or secondary school who may be paid on any of the scales 2 to 4 shall be determined in accordance with the provisions of regulation 14.

(2) The number of teachers in a primary or secondary school who may be paid on the senior teacher scale shall be determined in accordance with the provisions of regulation 14 and sub-paragraphs (*a*) and (*b*).

(*a*) *Schools in points categories as determined for purposes of Schedule 1*	*Number of teachers who shall be paid on the senior teacher scale*
2401-3300	1
3301-4600	2
4601 and above	3

(*b*) Where the scale score of the school permits the number of teachers who may be paid on the senior teacher scale, additional to those under sub-paragraph (*a*) may, with the approval of the Department, be increased as follows:

Schools in points categories as determined for purposes of Schedule 1	Number of senior teachers additional to those under sub-para. (a)
2401-3300	2
3301-4600	2
4601-6000	1
6001 and above	2

(3) Subject to the provisions of regulation 14(6), the limitation indicated in Schedule 4 as to the scales on which assistant teachers, other than vice-principals, second masters or second mistresses, may be paid shall apply, except that a teacher who is on a scale above the highest scale to which the school is entitled by virtue of its points category shall continue on that scale so long as he continues in the same post.

PRINCIPALS, VICE-PRINCIPALS, SECOND MASTERS AND SECOND MISTRESSES

Salary protection for certain teachers

9.—(1) Where a points category is determined for a primary or secondary school in accordance with regulation 13(1) or 13(2) or a school group is determined for a special school in accordance with regulation 15 and Schedule 3, a principal, vice-principal, second master or second mistress in service at the date from which such points category or school group takes effect and who was employed in the same school in the same capacity immediately preceding such date shall, subject to the provisions of paragraphs (4), (5) and (6), have his salary safeguarded and shall not be paid on a scale below that on which he was receiving salary immediately prior to such date.