1972. No. 279 **[C]**

EDUCATION

Institutions of Further Education: Teachers' Salaries (Compensation Allowances)

REGULATIONS, DATED 26TH OCTOBER 1972, MADE BY THE MINISTRY OF EDUCATION UNDER THE EDUCATION ACTS (NORTHERN IRELAND) 1947 TO 1971.

The Ministry of Education (hereinafter referred to as "the Ministry") on behalf of the Secretary of State in pursuance of the powers vested in it by Sections 83 and 112 of the Education Act (Northern Ireland) 1947(a) (hereinafter referred to as "the Act") and of every other power enabling it in that behalf and after consultation with the Ministry of Finance hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Institutions of Further Education: Teachers' Salaries (Compensation Allowances) Regulations (Northern Ireland) 1972 and shall be deemed to have come into operation on 1st April 1971.

(2) The following Regulations are hereby revoked:

The Institutions of Further Education: Teachers' Salaries (Compensation Allowances) Regulations (Northern Ireland) 1969(b);

The Institutions of Further Education: Teachers' Salaries (Compensation Allowances) Amending Regulations (Northern Ireland) 1969(c).

2.—(1) In these Regulations the following expressions have the meanings hereby assigned to them:—

"allowance" means an allowance payable in respect of work of special responsibility or responsibilities of a supervisory or administrative nature but shall not except as is provided in Regulation 8(1) include an allowance payable in an acting capacity;

"institution" means any place in which a local education authority provides facilities for further education, including a place used only for part-time classes or as a technical intermediate school;

"protected post" means a post of principal, a senior post or a post in respect of which an allowance as defined in this Regulation is payable in accordance with the Salaries Regulations;

"qualifying period" means a continuous period of two years immediately before the date of reorganisation;

"reorganisation" means rearrangement of educational facilities carried out with the approval of the Ministry by the local education authority;

"salary" means salary on the appropriate scale in the Salaries Regulations including any increase or addition in respect of a university degree or other qualification or course of training;

(a) 1947. c. 3.
(b) S.R. & O. (N.I.) 1969, No. 182.
(c) S.R. & O. (N.I.) 1969, No. 276.

"Salaries Regulations" means the Institutions of Further Education (Salaries and Allowances) Regulations (Northern Ireland) 1972(**d**) or any Regulations superseding those Regulations;

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

"teacher" for the purpose of these Regulations means a full-time teacher other than a temporary 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.

3.—(1) Where the salary of a teacher who held a protected post in an institution or an allowance payable to such a teacher ceases or is reduced, the Ministry, on application being made to it by or on behalf of such a teacher within one year of the date on which the salary or allowance ceases or is reduced, or within such longer period as the Ministry may in exceptional circumstances determine, shall consider whether the cessation of or the reduction in the salary or the allowance has been directly caused by reorganisation.

(2) If it appears to the Ministry that the cessation of or the reduction in the salary or allowance payable to a teacher who held a protected post in an institution has been directly caused by reorganisation, the Ministry shall determine the date (hereinafter referred to as "the date of reorganisation") on which such reorganisation took place and the date (hereinafter referred to as "the appropriate date") on which the salary or the allowance ceased or was reduced.

4.—(1) Where the salary of a teacher who held a protected post in an institution or an allowance payable to such a teacher ceases or is reduced, and the local education authority for the area in which the institution is situated certifies to the Ministry within one year of the date on which the salary or allowance ceases or is reduced or within such longer period as the Ministry may in exceptional circumstances determine that the cessation of or the reduction in the salary or the allowance has been directly caused by movement of population from the area by reason of a slum clearance scheme, re-development scheme, road scheme or other similar scheme undertaken by a local or public authority the Ministry may deem the cessation of or the reduction in the salary or the allowance to be directly caused by reorganisation.

(2) Where the Ministry under paragraph (1) deems the cessation of or the reduction in the salary or the allowance payable to a teacher who held a protected post in an institution to be directly caused by reorganisation the institution shall be treated as an institution to which Regulation 3 applies and the Ministry shall determine the date on which the reorganisation was deemed to take place and the date on which the salary or the allowance ceased or was reduced and these shall be respectively the date of reorganisation and the appropriate date for the purpose of these Regulations.

5.—(1) In any case to which Regulation 3 or Regulation 4 applies, a teacher who

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(d) S.R. & O. (N.I.) 1972, No. 132.