1969. No. 182 **[C]**

EDUCATION

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

REGULATIONS, DATED 4TH JULY 1969, MADE BY THE MINISTRY OF EDUCATION UNDER THE EDUCATION ACTS (NORTHERN IRELAND) 1947 TO 1968.

The Ministry of Education (hereinafter referred to as "the Ministry") 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 all powers 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) 1969.

(2) These Regulations shall be deemed to have come into operation on 1st July 1967.

(3) Regulation 26 of the Institutions of Further Education (Salaries and Allowances) Regulations (Northern Ireland) 1965(b) (hereinafter called "the superseded Regulation") is hereby revoked.

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;

"institution" means any place in which a local education authority provides facilities for further education, including a place used 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 three 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 scale salary together with any increase or addition in respect of a university degree or other qualification or course of training;

"Salaries Regulations" means the Institutions of Further Education (Salaries and Allowances) Regulations (Northern Ireland) 1965 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.

(a) 1947, c. 3. (b) S.R. & O. (N.I.) 1965, No. 280.

(2) Other expressions which have meanings assigned to them by the Institutions of Further Education (Salaries and Allowances) Regulations (Northern Ireland) 1965 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 one year from the date of these Regulations, 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) In any case to which Regulation 3 applies, a teacher who immediately before the date of reorganisation

(*a*) holds an allowance and held a protected post or posts throughout the whole of the qualifying period, or

(*b*) holds a protected post other than a post in respect of which an allowance is payable

and whose salary or allowance ceases or is reduced as a direct result of reorganisation will subject to paragraphs (3) and (4) be entitled to a compensation allowance determined in accordance with Regulation 5.

(2) Where under the provisions of Regulation 3(1) the Ministry determines a period longer than one year from the appropriate date or from the date of the Regulations, as the case may be, any compensation allowance to which the teacher is entitled shall not be payable from a date earlier than the date on which the application is received in the Ministry.

(3) To be entitled to a compensation allowance under paragraph (1) a teacher must immediately after the date of reorganisation remain in employment as a teacher or as a temporary teacher in an institution or a school or become so employed within a period of three months from the date of reorganisation.

(4) Unless in exceptional circumstances the Ministry determines otherwise, a teacher's entitlement to a compensation allowance shall cease if after a period of three months from the date of reorganisation he is not employed as a teacher or temporary teacher or if after such period he

(*a*) ceases to be employed as such, or

(*b*) voluntarily relinquishes an allowance payable to him or voluntarily relinquishes a post as principal or a senior post and the rate of salary (including any allowance) then payable to him is less than the rate of salary (including any allowance) payable to him before he relinquished the allowance or the post.

5. If a teacher

(1) held a protected post immediately before the date of reorganisation his normal scale at any point of time shall be the scale (excluding any allowance payable to the holder of an assistant lecturer Grade B post)