1965. No. 278 [C]

EDUCATION

Teachers' Salaries (Compensation Allowances)

REGULATIONS, DATED 22ND DECEMBER, 1965, MADE BY THE MINISTRY OF EDUCATION AFTER CONSULTATION WITH THE MINISTRY OF FINANCE UNDER THE EDUCATION ACTS (NORTHERN IRELAND) 1947 TO 1963.

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**), and of all other 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 Teachers' Salaries (Compensation Allowances) Regulations (Northern Ireland) 1965.

(2) These Regulations shall be deemed to have come into operation on 1st April, 1965.

(3) The Teachers' Salaries (Compensation Allowances) Regulations (Northern Ireland) 1961(**b**), the Teachers' Salaries (Compensation Allowances) Amending Regulations (Northern Ireland) 1962(**c**), and the Teachers' Salaries (Compensation Allowances) Amending Regulations (Northern Ireland) 1963(**d**), (hereinafter referred to as "the previous Regulations") are hereby revoked.

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

"allowance" means an annual allowance (other than salary or an allowance or addition payable in respect of a university degree or other qualification) payable to a teacher in accordance with the Salaries Regulations;

"points score" means with reference to any school a points score determined for that school in the same manner as it is determined in accordance with the Salaries Regulations for the purpose of determining the scale of salary of the principal of the said school;

"protected post" means a post of principal or vice-principal in a school;

"reorganisation" means rearrangement of educational facilities carried out with the approval of the Ministry by the local education authority or the managers of a school or schools;

"Salaries Regulations" means the Teachers' Salaries Regulations (Northern Ireland) 1965(**e**);

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

3. Where a school is discontinued or the number of pupils enrolled in a school is reduced and in consequence the scale of salary of the principal or the vice-principal's allowance payable to a teacher who held a protected post in the school ceases to be payable or is reduced, the Ministry, on application being made to it by or on behalf of such teacher, shall consider whether the

(**a**) 1947. c. 3.
(**b**) S.R. & O. (N.I.) 1961, No. 250.
(**c**) S.R. & O. (N.I.) 1962, No. 121.
(**d**) S.R. & O. (N.I.) 1963, No. 96.
(**e**) S.R. & O. (N.I.) 1965, No. 277.

discontinuance of the school or the reduction in the number of pupils enrolled in it has been directly caused by reorganisation which took place after 31st March, 1965.

4. If it appears to the Ministry that the discontinuance of the school or the reduction in the number of pupils enrolled in it has been directly caused by such reorganisation as is referred to in Regulation 3, the Ministry shall determine—

(*a*) the date (hereinafter referred to as "the appropriate date") on which such reorganisation took place;

(*b*) the qualifying period, that is to say, the period of five years ending on the appropriate date;

(*c*) the points score of the school for the school year in which the appropriate date falls and each of the four school years immediately preceding that school year; and

(*d*) the average of the five points scores so determined (hereinafter referred to as "the average points score").

5.—(1) If a teacher has held one or more than one protected post throughout the whole of the qualifying period in the same school, being a school to which Regulation 4 applies, and if as a direct result of reorganisation his scale of salary, if he is a principal, or the allowance payable to him if he is a vice-principal, is discontinued or reduced to a scale or an allowance less than the normal scale or allowance determined in accordance with Regulation 6, he shall, subject to the provisions of these Regulations, be entitled to a compensation allowance determined in accordance with Regulation 6 for such period of service as a teacher in a school or grant-aided institution of further education after the appropriate date as is prescribed in paragraph (2).

(2) The period so prescribed shall be, if on the appropriate date—

(*a*) he had reached the age of 35 years but had not reached the age of 40 years—3 years;

(*b*) he had reached the age of 40 years but had not reached the age of 45 years—5 years;

(*c*) he had reached the age of 45 years but had not reached the age of 50 years—10 years;

(*d*) he had reached the age of 50 years—any period of service not later than 31st July next following the date on which the teacher attains the age of 65 years.

(3) A teacher shall not be entitled to a compensation allowance if on the appropriate date he had not reached the age of 35 years unless the Ministry directs that, having regard to the special circumstances of the case, he shall be entitled to a compensation allowance for such period not exceeding one year as the Ministry may determine.

6.—(1) If a teacher to whom paragraph (1) of Regulation 5 applies has throughout the whole of the qualifying period held the post of principal, his normal scale shall be the principal's scale which would have been payable to him immediately before the appropriate date in accordance with the Salaries Regulations if the said principal's scale had been determined by reference to a points score equal to the average points score of the school, and he shall be entitled to a compensation allowance equal to the amount, if any, by which the rate of salary, (including in the case of an assistant teacher any addition or