9.—These regulations shall be construed with and as forming part of the Principal Regulations.

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 23rd day of November, 1942, in the presence of

(L.S.) *R. S. Brownell,*
Secretary.

Public Elementary Schools : Evacuated Children.

REGULATIONS, DATED 26TH FEBRUARY, 1942, MADE BY THE MINISTRY OF EDUCATION UNDER THE EDUCATION ACTS (NORTHERN IRELAND), 1923 TO 1940, AFTER CONSULTATION WITH THE MINISTRY OF FINANCE.

1942. No. 44.

1.—These regulations may be cited as the Public Elementary Schools (Evacuated Children) Regulations, 1940, Amending Regulations, No. 2, 1942.

2.—The Public Elementary Schools (Evacuated Children) Regulations, 1940 (Statutory Rules and Orders of Northern Ireland, 1940, No. 15), as amended by the Public Elementary Schools (Evacuated Children) Regulations, 1940, Amending Regulations No. 1, 1941, (Statutory Rules and Orders of Northern Ireland, 1941, No. 72), which Regulations, as so amended, are hereinafter referred to as the "said Regulations," are hereby amended as follows :—

3.—Article 5 of the said Regulations is hereby amended by the addition thereto of the following sub-section :

5.—(*c*) Where an assigned teacher who is serving in an evacuating school is absent from duty therein in circumstances in which the employment of a substitute is, under the Regulations for Public Elementary Schools in force for the time being, a condition for the payment of salary for the period of absence, the Ministry, if it is satisfied—

(i) that the absent teacher is himself redundant in the school in which he is serving ; or

(ii) that there is a redundant assigned teacher serving in the school who is available to take the place of the absent teacher ;

may dispense with the requirement that a substitute shall be employed : Provided that in every such case there shall be deducted from the salary of the absent teacher the sum (if any) which would have been deducted under the said Regulations had a substitute been employed.

4.—Article 6 of the said Regulations is hereby amended by the addition thereto of the following sub-section :

6.—(*bb*) A teacher who is appointed principal teacher of an evacuating school after the date upon which it becomes such and who is recognised as an assigned teacher from that date, shall, as long as he continues to be recognised as an assigned teacher, be entitled to receive salary and principal's grant at the rate appropriate to either—

(i) the category or grade (as the case may be) of the school on the date upon which it became an evacuating school ;

or

(ii) the actual category or grade (as the case may be) of the school for the year for which the grant is payable ;

whichever is the higher.

5.—Article 8 of the said Regulations is hereby amended by the insertion, at the end of the first paragraph, of the following paragraph :—

Provided that where, on the termination by the Ministry of an arrangement by which the vacancy in any school for an assistant or a junior assistant mistress has been filled by an assigned teacher, as aforesaid, it is found that the appointment of a successor by the manager cannot be sanctioned under the regulations (other than this regulation) governing such appointments, the Ministry may, nevertheless, sanction the said appointment if it is satisfied that if the appointment had been made by the Manager during the period of operation of the said arrangement, the teacher appointed would have continued to be recognised at the date from which the Manager proposes that he shall actually be appointed. The grant of salary to a teacher appointed under this regulation shall not be withdrawn until the date on which it would have been withdrawn, under the operation of the regulations (other than this regulation) governing the retention of teachers, if the teacher had been appointed by the Manager during the period of operation of the aforesaid arrangement.

6.—Article 10 of the said Regulations is hereby amended by the deletion of the words " and in order to provide for the education of evacuated children " in the second and third lines.

7.—Sub-sections (*a*) and (*b*) of Article 11 of the said Regulations are hereby repealed as from 1st April, 1941, and the following sub-sections substituted therefor as from that date :

11.—(*a*) Where the said school is an evacuating school—

(1) the capitation grants (other than the annual capitation grant) shall be calculated on the average daily attendance for the year ended 31st March, 1941 ;