Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 24th day of October, 1940, in the presence of

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

The Ministry of Finance hereby approves of the foregoing Regulations, in witness whereof the Seal of the Ministry has been fixed thereto, this 12th day of November, 1940, in the presence of

(L.S.) (Signed) *H. Ashton,*
Assistant Secretary.

War Service: Public Elementary School Teachers.

REGULATIONS, DATED 5TH FEBRUARY, 1940, MADE BY THE MINISTRY OF EDUCATION, UNDER THE TEACHERS' SALARIES AND SUPERANNUATION (WAR SERVICE) ACT (NORTHERN IRELAND), 1939, AFTER CONSULTATION WITH THE MINISTRY OF FINANCE.

1940. No. 16.

Whereas it is provided by section six of the Teachers' Salaries and Superannuation (War Service) Act (Northern Ireland), 1939 (in these Regulations referred to as "the Act"), that the Ministry of Education (in these Regulations referred to as "the Ministry") may make all such regulations as appear to it to be necessary or proper for giving full effect to the provisions of the Act relating to the Civil Remuneration of Teachers whilst engaged on war service, and that the provisions of section ninety-nine of the Education Act (Northern Ireland), 1923, shall apply to those Regulations.

Now, therefore, the Ministry, in exercise of the powers aforesaid and all other powers thereunto enabling, hereby makes the following Regulations :—

1.—These regulations may be cited as the Public Elementary School (Teachers' War Service) Regulations, 1940.

2.—In these Regulations, unless the context otherwise requires—

(*a*) "School" means public elementary school and includes any special school the cost of the remuneration of the teachers of which is borne by the Ministry.

(*b*) "Teacher" means a teacher recognised by the Ministry as a member of the teaching staff of a school otherwise than in a temporary capacity.

(*c*) " Teaching employment " means actual teaching service rendered as a recognised teacher in a school.

(*d*) " War service " means service, during the period of the present emergency, in any of the naval, military or air forces of the Crown, or any service during that period which the Ministry considers may properly be treated for the purposes of the Act and of these Regulations in the same manner as service in those forces, and service as a called out person under the Reserve and Auxiliary Forces (Consequential Provisions) Order, 1939, given before the beginning of the said period.

(*e*) " Principal regulations " means the Public Elementary Schools Regulations, 1934 (Statutory Rules and Orders of Northern Ireland, 1934, No. 40) as amended by subsequent amending regulations and in force for the time being.

3.—The principal regulations, in so far as they prescribe conditions in regard to average attendance of pupils to be fulfilled in order to warrant the continuance of the Ministry's grants to a teacher in any school, shall not apply to a teacher who is absent on leave on war service, and grants shall not be withdrawn by the Ministry from any teacher while so absent on leave, or until the end of six months after the termination of such leave, on the grounds of insufficiency of average attendance at the school in which he is recognised.

4.—(*a*) The manager of a school may, subject to the approval of the Ministry, appoint a substitute for any teacher recognised on the staff of the school who is absent on leave on war service, and the cost of the payment of such substitute, at the appropriate rate specified in sub-section (*c*) of this Article, shall be borne by the Ministry : Provided that the employment of a substitute shall not be sanctioned by the Ministry in any case where, under the provisions of the Principal Regulations, grants would have been withdrawn by the Ministry from the absent teacher had he continued in his teaching employment in the school.

(*b*) The substitute for a teacher who is absent on war service must possess the qualifications for recognition as assistant teacher prescribed in the principal regulations : Provided, however, that in exceptional circumstances, where it is found impracticable to obtain a substitute possessing the said qualifications, the Ministry may sanction the employment of a competent person possessing other qualifications.

(*c*) The rates of payment of substitutes for principal or assistant teachers appointed under the foregoing sub-sections of this Article shall be as follows :—