Further Education (Grant Conditions)

REGULATIONS DATED 23RD MARCH, 1948, MADE BY THE MINISTRY OF EDUCATION, UNDER THE EDUCATION ACT (NORTHERN IRELAND), 1947, AND OTHER ENACTMENTS, WITH THE APPROVAL OF THE MINISTRY OF FINANCE.

1948. No. 62.

The Ministry of Education (hereinafter referred to as " the Ministry") in pursuance of the powers vested in it by Sections 104 and 112 of the Education Act (Northern Ireland), 1947, (hereinafter referred to as " the Act ") and by Section 6 of the Teachers' Salaries and Superannuation (War Service) Act (Northern Ireland), 1939, and of all other powers enabling it in that behalf, with the approval of the Ministry of Finance, hereby makes the following Regulations :—

Introductory

1. For the purposes of these Regulations, unless the context requires otherwise :—

" approved " means approved by the Ministry for the purposes to which the context relates ;

" recognised " means recognised by the Ministry for the purposes of these Regulations ;

" educational year " means the year beginning with 1st August ;

" institution " means an Institution of Further Education ;

other expressions which have meanings assigned to them by the Act shall have the same respective meanings for the purposes of these Regulations.

2. These Regulations prescribe the conditions for the recognition of expenditure by a local education authority or the Queen's University Joint Committee for Adult Education in respect of facilities for further education in any institution affording to persons over compulsory school age full-time or part-time education or leisure-time occupation in organised cultural training or recreative activities or other approved facilities for further education.

Conditions applicable to local education authorities

3. In order to be recognised, an institution shall comply with the requirements imposed thereon by, or under, the Act, and if it does not comply recognition may be withdrawn.

4. Every institution shall be kept on a satisfactory level of efficiency and shall be open to inspection by officers of the Ministry.

5. Such registers or records shall be kept and such information and returns shall be furnished from time to time as the Ministry may require.

6. All time-tables and courses of study shall be subject to the approval of the Ministry.

7. Arrangements for the charging of fees, together with the rates of fees proposed, shall be submitted for the approval of the Ministry.

8. Every institution under the control of a local education authority shall be organised with due regard to the circumstances and needs of the locality which it is intended to serve and shall be suitably co-ordinated with other institutions either in the area of the local education authority or in adjacent areas.

9. In every institution controlled by a local education authority in which provision is made for technical, commercial or art education, the Ministry will require to be satisfied that appropriate arrangements have been made for consultation and co-operation with organisations representing industry and commerce.

10. The number of students under instruction together by one teacher shall not, without the sanction of the Ministry, exceed

(*a*) 30 for a lesson in mechanical drawing in any of its various forms ;

(*b*) 20 for a practical lesson ;

(*c*) 40 for any other lesson :

Provided that if a class assistant whose qualifications are accepted by the Ministry be present the number may be increased to 30 for a practical lesson, and to 45 for a lesson in mechanical drawing.

Conditions applicable to teachers employed in institutions of further education under the control of local education authorities

11.—(1) A full-time teacher is —

(*a*) the principal of one or more institutions ; or

(*b*) the vice-principal and the head of a Department of the Belfast Municipal College of Technology ; or

(*c*) a teacher teaching classes approved by the Ministry for not less than 20 hours weekly ; provided that the Ministry shall have the power at its discretion, after consideration of the particular circumstances, to decide —

(i) that a teacher so employed is a full-time teacher notwithstanding that he is teaching for less than the aforesaid 20 hours ; or

(ii) that a teacher who is required for limited periods, to teach for not less than the aforesaid 20 hours shall not be a full-time teacher within the meaning of this Regulation.

(2) A part-time teacher is a teacher who is not a full-time teacher.

12. In order to be eligible for appointment a teacher must possess the necessary qualifications in accordance with Schedule I to these Regulations.

13. Every full-time teacher (including a substitute teacher) will be required to satisfy the Ministry of his health and physical capacity for teaching.

14. Where the local education authority desires that a teacher shall give instruction in a subject or subjects in which he has not been granted recognition the Ministry may sanction such an arrangement, subject to any conditions which the Ministry may consider necessary.

15. Where the Ministry is satisfied that a local education authority is unable to secure the services of a teacher who complies with the conditions necessary for recognition under these Regulations the appointment of a person who is not eligible for recognition may be sanctioned and such person may be permitted to teach for a limited period.

16. A teacher shall not engage in any activities which, in the opinion of the local education authority or of the Ministry, would interfere with the proper discharge of his duties as a teacher.

17. A teacher shall not be employed before he attains the age of 20 years or after he attains the age of 65 years except for limited periods in cases where there are special circumstances and with the approval of the Ministry.

18. A teacher shall be regarded as being on probation for not less than two complete years' service in the institution and, while on probation, his recognition will be provisional :

Provided that the Ministry may waive part of, or the whole of, the probationary period in the case of teachers who have had teaching experience in approved institutions or schools and who produce satisfactory evidence of efficiency.

19.—(1) The Ministry's Inspectors and (if the probationer is not himself a principal) the principal of each institution in which the teacher on probation is engaged shall report to the Ministry at the end of each year of probationary service upon the manner in which the teacher has discharged his duties and upon his fitness for continued recognition :

(2) After consideration of the reports furnished under the provisions of this Regulation, the Ministry shall decide whether to confirm recognition, to extend the probationary period, or to refuse recognition.

20. The Ministry may, before confirming recognition, or at any time as a condition of continued recognition, require a teacher to attend

further courses of study and to pass such examinations as it may determine.

21. The Ministry may on grounds of misconduct or inefficiency refuse or withdraw recognition.

Salaries of teachers in institutions under the control of local education authorities

22.—(1) The scales of salary and allowances for teachers in institutions under the management of local education authorities and the conditions for admission to such scales of salaries and for the granting of such allowances shall be those which are prescribed from time to time by the Ministry and it shall be a condition for the payment of any grant from the Ministry under Section 104 of the Act in respect of an institution that the teachers shall be remunerated at the appropriate rates determined in accordance therewith.

(2) The contributions payable by a teacher under the Superannuation Scheme shall be deducted from the salary of the teacher and shall be paid forthwith by the local education authority to the Ministry.

23.—(1) Subject to the provisions of the following paragraphs of this Regulation a teacher shall remain on the commencing salary of the appropriate scale until he has satisfactorily completed his period of probation.

(2) A teacher may be given credit for incremental purposes in respect of any period of approved industrial or commercial experience or of time spent in approved professional or research work, after the teacher attained the age of 21 years as if it were teaching service, but no part of the aforesaid period, which has been reckoned for the purposes of the admission of the teacher to one of the Salary Scales, shall also be reckoned for the purposes of the award of increments.

(3) In order to be eligible for credit under the provisions of paragraph (2) of this regulation, a teacher shall be engaged in teaching classes in institutions of further education for at least six hours per week ; provided that the Ministry may, at its discretion regard a teacher who for limited periods in the educational year, is teaching the said classes for less than the aforesaid six hours as satisfying the requirements of this paragraph.

(4) The provisions of paragraph (2) of this Regulation shall not apply to —

(*a*) Principals of institutions ; or

(*b*) the Vice-principal, Head of Department or Senior Lecturer of the College of Technology, Belfast.

(5) A person who before becoming employed in contributing service has undertaken war service as defined by the Teachers' Salaries and Superannuation (War Service) Act (Northern Ireland), 1939, and who becomes employed in contributing service before 1st April, 1951,

may be given credit for incremental purposes in accordance with the appropriate salary Scale as from the date of entering contributing service in respect of any complete years of war service as if it had been teaching service, but no further increments shall be awarded until the teacher has satisfactorily completed his period of probation. For the purposes of this paragraph war service given by a person before attaining the age of eighteen years shall not be reckoned.

24. Subject to the provisions of Regulation 23 of these Regulations, a full-time teacher shall be placed at the point on the salary scale applicable to him under Schedule II to these Regulations and shall receive credit for approved teaching service as if the scale had been in operation throughout the period of his service as a teacher :

Provided that —

(*a*) a person who is employed as —

(i) a principal ; or

(ii) the Vice-principal, a Head of Department, or a Senior Lecturer in the College of Technology, Belfast,

shall be placed on the appropriate scale at the point he would have reached if the scale had been in operation throughout the full period of any service given by him and adjudged by the Ministry to have been equivalent in importance and responsibility to the post in respect of which he is being placed on one of the salary scales ;

(*b*) a teacher to whom paragraph (5) of Regulation 23 applies may, on satisfactory completion of his probationary period, be re-placed as from the date of entering contributing service as if he had completed his probationary period on the date on which he would have done so if his war service had been teaching service ;

(*c*) a teacher shall not be placed on the scale of salary at the point which would be appropriate in view of his past service unless the Ministry is satisfied as to his efficiency.

25. After a teacher's rate of salary has been determined in accordance with the provisions of these Regulations, subsequent increments in the scale shall be granted annually on the teacher's normal incremental date :

Provided that the Ministry may require that one or more increments in respect of any teacher shall be withheld or withdrawn if, in the judgement of the Ministry, such increments are not deserved either on account of inefficiencey or for any other reason.

Leave of absence from duty

26.—(1) A teacher shall, subject to these Regulations, be entitled while absent owing to illness to receive full salary for a period not exceeding six months and thereafter half-pay for a further period not

exceeding six months in any period of four years' service. For the purposes of this paragraph six months shall be taken as 183 days.

(2) A teacher who has been absent, owing to illness, for an aggregate of twelve months in any period of four years' service shall not, within such period, be entitled to salary for any further period of absence from duty.

For the purposes of this Regulation a period of vacation shall be reckoned as absence owing to illness unless the teacher has resumed teaching duties for not less than 10 successive working days either preceding or succeeding, or preceding and succeeding, the period of vacation.

27.—(1) A married woman teacher shall be required to be absent from her school duties for three months continuously during the period preceding and succeeding child-birth, and in respect of this period, she shall be entitled to receive half-pay. Absence under the provisions of this paragraph shall not be deemed to be absence owing to illness.

(2) In addition to the period of compulsory absence prescribed in paragraph (1) of this Regulation, the local education authority may, at their discretion, grant a further period of leave of absence to the teacher : provided that the teacher shall not be entitled to salary in respect of such further period of absence.

28. Where the absence of a teacher owing to illness exceeds either three successive working days or an aggregate of ten working days in any period of twelve months ending 31st December, the teacher shall not be entitled for such period of absence to salary unless a medical certificate, specifying the nature of the illness and certifying the incapacity of the teacher for the performance of duty, is furnished through the local education authority to the Ministry.

29. A local education authority may pay full salary to a teacher —

(*a*) for a brief period of necessary absence due to infectious disease in his home or to the serious illness or death of a near relative ;

(*b*) for a period of absence not exceeding three working days, due to special circumstances ; and

(*c*) for a period of absence exceeding three working days, due to special circumstances, if the approval of the Ministry is obtained.

30. A local education authority shall make provision for the continuance of school work during the period of absence of any teacher on leave given under these Regulations by the appointment of a temporary teacher or otherwise.

31. Periods of absence for which a teacher is entitled to full salary or half-pay shall be regarded as teaching service for the purpose of these Regulations.

32. Regulations 26 to 31 hereof inclusive shall have reference and shall be applicable only to full-time teachers holding substantive posts and during the currency of their agreements with the local education authorities of the schools in which they are employed.

Staffing

33. The establishment of teachers in every institution (including any technical intermediate school or schools conducted in association with the institution) shall be such as may be approved by the Ministry.

Employment of a teacher in more than one institution

34. If a full-time teacher employed in an institution under the control of a local education authority is also utilized to give instruction in one or more grant-aided schools or institutions, the local education authority by which the teacher is directly employed shall pay to the said teacher the whole of the salary and shall receive recoupment from the other school authorities of such proportion of the salary as may be agreed upon between the parties with the approval of the Ministry; and the Ministry may make such adjustments in any grants payable under these or other Regualtions in respect of the said teacher as may be required to give effect to such agreement.

Direct Grant in respect of Adult Education

35.—(1) Subject as in these Regulations provided, the Ministry may recognise the Queen's University Joint Committee for Adult Education for direct grant in respect of the maintenance of approved facilities for further education.

(2) The direct grant to be paid under this Regulation will be determined by the Ministry after consideration of the financial resources of the said Committee as shown in duly certified and audited accounts.

(3) The amount of direct grant payable to the said Committee in respect of an educational year shall be a sum not exceeding 65% of the amount by which the approved expenditure of the Committee exceeds the total amount of the contributions received in the year from the local education authorities.

(4) This Regulation shall take effect as from 1st August, 1948.

Supplementary

36.—(1) The approved expenditure of a local education authority which is incurred under these Regulations shall, except where otherwise provided, be included in the expenditure in respect of which grants are payable by the Ministry to the authority under the Regulations of the Ministry for the time being in force dealing with the payment of grants to local education authorities.

(2) Direct grant shall be payable to the Queen's University Joint Committee for Adult Education under these Regulations.

(3) The Ministry may withhold or make a deduction from any grant if the requirements of these Regulations are not fulfilled.

37. The Regulations named in the first two columns of Schedule III to these Regulations are hereby revoked as from the date on which these Regulations take effect.

38. These Regulations shall, except where specifically provided otherwise, come into operation on the 1st April, 1948.

39.—(1) The Interpretation Act, 1921, (12 Geo. 5 Ch. 4) applies to the interpretation of these Regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

(2) If any question arises as to the interpretation of these Regulations, or as to whether any of the requirements thereof are fulfilled, or as to the amount of any grant payable thereunder, the decision of the Ministry shall be final.

40. These Regulations may be cited as the Further Education (Grant Conditions) Regulations, 1948.

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 23rd day of March, 1948, in the presence of

(L.S.) *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 23rd day of March, 1948, in the presence of

(L.S.) *J. I. Cook,*
Assistant Secretary.

SCHEDULE I.

(REGULATION 12)

The following qualifications, or others judged by the Ministry to be equivalent, are required as a condition of recognition to the extent outlined in the table.

Qualification	Recognition
An approved University degree.	The subject or subjects in respect of which the courses studied at the University, the duration of the courses, and the examinations passed in them are considered satisfactory by the Ministry.
Such diplomas or certificates as may from time to time be approved by the Ministry.	The subject or subjects in respect of which the diploma or certificate is granted.

SCHEDULE II.

SERVICE RECOGNISED FOR THE PURPOSE OF REGULATION 24

I. *Types of Service*

(*a*) Full time teaching service in schools or institutions in the British Commonwealth and Empire, provided the teacher at the time of such service possessed the qualifications required for recognition under these Regulations and that the school or institution was, at that time, recognised by, or in receipt of grants from, the accredited education authority :—

(1) if given after 31st July, 1923 — full credit ; and

(2) if given before 1st August, 1923 — half credit.

(*b*) Service on the staffs of university institutions and training colleges in the British Commonwealth and Empire as may be specially considered.

(*c*) Such other service as, in the opinion of the Ministry, should be so recognised.

(*d*) One half of the period of service with the forces of the Crown or Allied Powers, or of internment in an enemy country as a civilian prisoner of war, during the European War 1914/1919.

(*e*) War Service as defined by the Teachers' Salaries and Superannuation (War Service) Act (Northern Ireland) 1939, provided that —

(i) before undertaking such service, the teacher possessed the qualifications for recognition under these Regulations ; or

(ii) the teacher had undertaken such service before becoming employed in contributing service and becomes employed in contributing service before 1st April, 1951.

II. *General*

(*a*) Service given before the age of 18 years shall not be counted.

(*b*) Full-time teaching service shall be taken to include one half of corresponding part-time teaching service of not less than 10 hours per week, but where part-time service was concurrent with other service which is allowed to count in full, no credit shall be given for the part-time service.

(*c*) In the case of schools or institutions not working under the Ministry's Regulations a teacher shall be regarded as having given a year's service if he has been employed as a full-time teacher for a period of one year during which he has actually taught for at least thirty-five weeks.

SCHEDULE III

(REGULATION 37)

Regulations Revoked

Year and Number of Regulation	Short Title
S.R. & O. 1937, No. 101	The Regulations for Technical Teachers, 1937.
S.R. & O. 1941, No. 74	The Regulations for Technical Teachers, 1937 Amending Regulations, No. 1, 1941.
S.R. & O. 1942, No. 69	The Regulations for Technical Teachers, 1937 Amending Regulations, No. 2, 1942.
S.R. & O. 1943, No. 24	The Regulations for Technical Teachers, 1937 Amending Regulations, No. 3, 1943.
S.R. & O. 1944, No. 6	The Regulations for Technical Teachers, 1937 Amending Regulations, No. 4, 1944.
S.R. & O. 1944, No. 10	The Regulations for Technical Teachers, 1937 Amending Regulations, No. 5, 1944.
S.R. & O. 1944, No. 88	The Regulations for Technical Teachers, 1937 Amending Regulations, No. 6, 1944.
S.R. & O. 1946, No. 15	Technical Teachers (Salaries and Allowances) Regulations (Northern Ireland), 1946.
S.R. & O. 1947, No. 8	Technical Teachers (Salary Grants) Regulations (Northern Ireland), 1947.

Year and Number of Regulation	Short Title
S.R. & O. 1947, No. 88	Technical Teachers (Salary Grants) (No. 2) Regulations (Northern Ireland), 1947.
S.R. & O. 1932, No. 47	Technical Attendance Grants Regulations, 1932.
S.R. & O. 1934, No. 44	Technical Attendance Grants Regulations, 1932 Amending Regulations, No. 1, 1934.
S.R. & O. 1937, No. 23	Technical Attendance Grants Regulations, 1932, Amending Regulations, No. 2, 1937.
S.R. & O. 1941, No. 185	Technical Attendance Grants Regulations, 1932, Amending Regulations, No. 3, 1941.
S.R. & O. 1940, No. 30	The Technical Teachers War Service Regulations, 1940.
S.R. & O. 1942, No. 123	The Technical Teachers War Service Regulations, 1940, Amending Regulations, No. 1, 1942.
S.R. & O. 1947, No. 62	Technical Teachers' Salaries (War Service) Regulations (Northern Ireland), 1947.

Institutions of Further Education : Teachers' Salaries and Allowances

REGULATIONS DATED 19th MARCH, 1948, MADE BY THE MINISTRY OF EDUCATION UNDER THE EDUCATION ACT (NORTHERN IRELAND), 1947, AFTER CONSULTATION WITH THE MINISTRY OF FINANCE.

1948. No. 56

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, (hereinafter referred to as " the Act ") and of all other powers enabling it in that behalf, and after consultation with the Ministry of Finance, hereby makes the following Regulations :—

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

" approved " means approved by the Ministry for the purposes to which the context relates ;

" recognised " means recognised by the Ministry for the purposes of these Regulations ;

" qualified teacher " means a teacher who has been granted recognition under the Further Education (Grant Conditions) Regulations, 1948, and the expression " unqualified teacher " shall be construed accordingly.

Other expressions which have meanings assigned to them by the Further Education (Grant Conditions) Regulations, 1948, shall have the same respective meanings for the purposes of these Regulations.

2.—(1) These Regulations shall apply to teachers employed in Institutions of Further Education recognised by the Ministry.

(2) The scales of salaries and allowances prescribed by these Regulations and the conditions so prescribed for admission to such