STATUTORY INSTRUMENTS

1976 No. 656

EDUCATION, ENGLAND AND WALES

The Remuneration of Teachers (Primary and Secondary Schools) (Amendment) Order 1976

Made - - - -	28*th April* 1976
Coming into Operation	29*th April* 1976

Whereas—

(1) in pursuance of section 2(2) of the Remuneration of Teachers Act 1965**(a)** ("the Act") the Committee constituted under section 1 thereof for the purpose of considering the remuneration payable to teachers in primary and secondary schools maintained by local education authorities ("the Committee") have transmitted to the Secretary of State for Education and Science ("the Secretary of State") recommendations agreed on by them with respect to the remuneration of such teachers;

(2) there is in force an Order made under section 2 of the Act with respect to the remuneration of teachers in primary and secondary schools maintained by local education authorities, namely, the Remuneration of Teachers (Primary and Secondary Schools) No. 2 Order 1975**(b)**;

(3) it appears to the Secretary of State that effect can more conveniently be given to the recommendations of the Committee by amending the scales and other provisions set out in the document referred to in the said Order, namely, the document published by Her Majesty's Stationery Office on 24th September 1975 under the title "SCALES OF SALARIES FOR TEACHERS IN PRIMARY AND SECONDARY SCHOOLS, ENGLAND AND WALES, 1975" ("the Document");

(4) in pursuance of Section 2(5) of the Act the Secretary of State has prepared a draft Order (being the draft of this Order) setting out the amendments of the scales and other provisions which, in his opinion, are requisite for giving effect to the recommendations of the Committee; and

(5) the Secretary of State, as required by section 2(6) of the Act, has consulted the Committee with respect to the draft Order and made such modifications thereof as were requisite for giving effect to representations made by the Committee.

(a) 1965 c. 3. **(b)** S.I. 1975/1558 (1975 III, p. 5400).

Now, therefore, the Secretary of State, in pursuance of section 2(6) of the Act, hereby orders as follows:—

Citation and commencement

1. This Order may be cited as the Remuneration of Teachers (Primary and Secondary Schools) (Amendment) Order 1976 and shall come into operation on 29th April 1976.

Interpretation

2. The Interpretation Act 1889**(a)** shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

Amendment of document

3. The scales and other provisions contained in the Document are hereby amended—

(*a*) with effect from 1st March 1975, in the manner specified in Schedule 1 to this Order;

(*b*) with effect from 1st April 1976, in the manner specified in Schedule 2 to this Order.

SCHEDULE 1

AMENDMENTS EFFECTIVE FROM 1ST MARCH 1975

1. In sub-section 16(*b*) of Part V of the Document for the words "sub-sections 11(*a*) and (*b*)" there shall be substituted the words "sub-section 11(*a*)".

2. In Appendix III to the Document (which relates to the method of determining the correct position of a teacher on the appropriate salary scale)—

(*a*) in paragraph 1(2), after sub-paragraph (*b*) there shall be added the words— "and if his incremental position is subsequently recalculated under sub-paragraphs 8(1)(*a*), 9(1)(ii) or 12(2) of this appendix, his subsequent incremental progression shall be based on the revised incremental position on 1st September preceding the date of the recalculation, or, if 1st September is the date of such recalculation, on that date".

(*b*) paragraph 5 shall be renumbered sub-paragraph 5(i) and immediately after such sub-paragraph there shall be added the following sub-paragraph—

"5(ii). If such a teacher becomes eligible on 1st September 1975 for incremental credit on scale 1 under paragraph 3 of Annex B or sub-paragraph 1(*f*) of Annex C to this appendix he shall have his incremental position at that date recalculated in the manner prescribed in whichever of sub-paragraphs 8(1)(*a*), 9(1)(ii), 12(2) or 17 of this appendix refers to the scale on which he was paid on 1st September 1975."

(*c*) for sub-paragraph 15(1)(v) there shall be substituted the following sub-paragraph—

(a) 1889 c. 63.

"(v) A teacher "promoted" to a Head or Deputy Head Teacher scale from scales 1, 2(S) or 3(S) or the Senior Teacher scale or a Head or Deputy Head Teacher who is "promoted" to another Head or Deputy Head Teacher scale may be paid the salary applicable in the former post plus the promotion increase of $1\frac{1}{2}$ increments specified in sub-paragraph 12(2) above."

(*d*) in sub-paragraphs 15(1)(iii), 16(1)(i) and 16(1)(v) there shall after the words "at the equivalent incremental point", in each case be inserted the words—

"(or, if he has been paid at the maximum of scale 2(S) or 3(S) for one year or more, to the maximum of scale 2 or scale 3, as the case may be)".

(*e*) for sub-paragraphs 14(3), 15(3) and 16(3) there shall in each case be substituted the following sub-paragraph—

"(3) For the purposes of this paragraph, the salary deemed to be applicable in the former post as at the date of "promotion" or "demotion", as the case may be, shall, with the exception of an increment being paid beyond the maximum of a scale under section 11(*b*), exclude any additional payment under sections 11, 12, 13 or 14(1) of this Document."

SCHEDULE 2

AMENDMENT EFFECTIVE FROM 1ST APRIL 1976

In Part I of the Document there shall be inserted after sub-section 1(*b*) the following sub-section—

"(*c*) With effect from 1st April 1976 a teacher shall receive an additional payment of £312 per annum unless his existing rate of remuneration is £8,500 or more per annum. If such payment would increase a teacher's rate of remuneration beyond £8,500 per annum, such part only shall be paid as will increase his rate of remuneration to that amount. Remuneration for the purpose of this sub-section means remuneration as defined in sub-section 1(*b*) above. Any additional payment under this sub-section, or any comparable additional payment under the relevant statutory salaries document for teachers in maintained establishments of further education, including farm institutes and colleges of education, in England and Wales, shall be disregarded for the purposes of determining the incremental point at which a teacher shall enter any scale."

Given under the Official Seal of the Secretary of State for Education and Science on 28th April 1976.

Fred Mulley,
Secretary of State for Education and Science.

(L.S.)

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order provides for an additional payment to teachers in primary and secondary schools maintained by local education authorities and amends certain provisions in the document published by Her Majesty's Stationery Office on 24th September 1975 under the title "SCALES OF SALARIES FOR TEACHERS IN PRIMARY AND SECONDARY SCHOOLS, ENGLAND AND WALES, 1975", which was brought into operation by the Remuneration of Teachers (Primary and Secondary Schools) No. 2 Order 1975. The amendments specified in Schedule 1 and Schedule 2 to the Order take effect retrospectively on 1st March 1975 and 1st April 1976 respectively, by virtue of section 7(3) of the Remuneration of Teachers Act 1965.

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