STATUTORY INSTRUMENTS

1977 No. 292

EDUCATION, ENGLAND AND WALES

The Remuneration of Teachers (Primary and Secondary Schools) (Amendment) Order 1977

Made - - - - 24*th February* 1977

Coming into Operation 25*th February* 1977

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 are in force Orders 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)**; the Remuneration of Teachers (Primary and Secondary Schools) (Amendment) Order 1976**(c)**; the Remuneration of Teachers (Primary and Secondary Schools) (Amendment No. 2) Order 1976**(d)**; and the Remuneration of Teachers (Primary and Secondary Schools) (Amendment No. 3) Order 1976**(e)**;

(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 Orders, 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 her 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 the Committee have made no representations with respect thereto.

(a) 1965 c. 3. **(b)** S.I. 1975/1558 (1975 III, p. 5400).
(c) S.I. 1976/656 (1976 I, p. 1802). **(d)** S.I. 1976/1192 (1976 II, p. 3352).
(e) S.I. 1976/2228 (1976 III, p. 6257).

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 1977 and shall come into operation on 25th February 1977.

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; and

(*b*) with effect from the date of this Order, in the manner specified in Schedule 2 to this Order.

SCHEDULE 1

AMENDMENTS EFFECTIVE FROM 1ST MARCH 1975

In Appendix III to the Document—

(*a*) there shall be inserted after paragraph 6 the following paragraph:—

"6A. For the purposes of paragraphs 7 to 16 below, a teacher entering service in a primary or secondary school in England or Wales following teaching service in a recognised school or institution in Northern Ireland shall be placed on his appropriate salary point in accordance with the provisions of this appendix, as though his previous teaching service had been in an educational establishment to which this document applies in England or Wales."

(*b*) for sub-paragraph 9(3) there shall be substituted the following sub-paragraph:—

"9(3) The starting pay of a teacher on Scale 2 or Scale 2(S), as the case may be, who—

(*a*) accepted a post offered as Scale 3 on the basis of the Primary and Secondary Salaries Document 1973, as amended; or

(*b*) before 1 March 1975 had been appointed on promotion to such a post;

but who had not before 1 March 1975 taken up that appointment, shall be calculated as if he had been appointed or promoted, as the case may be, before 1 March 1975 and had then been assimilated to the relevant scale in accordance with the provisions of the Primary and Secondary Salaries Document 1974 if this will produce a higher salary than would otherwise be payable under this paragraph."

(a) 1889 c. 63.

SCHEDULE 2

AMENDMENT EFFECTIVE FROM THE DATE OF THIS ORDER

In section 5 of the Document—

(*a*) in sub-section (*a*), for the words "(*a*) Subject to sub-sections 5(*b*) and 5(*c*) below, one" there shall be substituted the word "One";

(*b*) sub-sections 5(*b*) and 5(*c*) shall be deleted.

Given under the Official Seal of the Secretary of State for Education and Science on 24th February 1977.

Shirley Williams,
Secretary of State for
Education and Science.

(L.S.)

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order, which gives effect to the recommendations agreed on by the Committee for the consideration of the remuneration of teachers in primary and secondary schools, (i) applies the provisions for determining the position of a teacher on the appropriate salary scale to certain teachers transferring from a recognised school or institution in Northern Ireland, (ii) extends the transitional provisions relating to the remuneration of teachers appointed on the basis of the statutory pay document in force immediately before 1st March 1975, but who took up a post on or after that date, and (iii) removes certain restrictions upon the appointment of second masters and second mistresses.

The Order has retrospective effect by virtue of section 7(3) of the Remuneration of Teachers Act 1965.

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