1958 No. 369 (S. 19)

The Teachers' Salaries (Scotland) (Amendment No. 2) Regulations, 1958

Made - - - -	*6th March*, 1958
Laid before Parliament	*13th March*, 1958
Coming into Operation	*1st April*, 1958

In the exercise of the powers conferred upon me by section 79 of the Education (Scotland) Act, 1946(a), as amended by section 13 of, and Part I of the First Schedule to, the Education (Scotland) Act, 1956(b), and of all other powers enabling me in that behalf, I hereby make the following Regulations.

Citation, construction and commencement

1.—(1) These Regulations may be cited as the Teachers' Salaries (Scotland) (Amendment No. 2) Regulations, 1958.

(2) These Regulations and the Teachers' Salaries (Scotland) Regulations, 1956 and 1957, shall be construed as one and may be cited together as the Teachers' Salaries (Scotland) Regulations, 1956 to 1958.

(3) These Regulations shall come into operation on 1st April, 1958.

Amendment of Regulation 18—*Assessment of responsibility element of salary*

2. Where a change in the organisation of education in an area affecting a school is made after 31st March, 1958, the Secretary of State shall have the same power to give a direction under sub-paragraph (*c*) of paragraph (5) of Regulation 18 of the Teachers' Salaries (Scotland) Regulations, 1956(c) (hereinafter referred to as "the Principal Regulations") as is conferred upon him by the said sub-paragraph in relation to a school opened after 1st August, 1953; and accordingly—

(1) After head (i) of the said sub-paragraph the following head shall be inserted:—

"(iA) where a change in the organisation of education in an area is made after 31st March, 1958, or", and

(2) in head (ii) of the said sub-paragraph after the word "area" there shall be inserted the words "made before 1st April, 1958,".

Application of Regulation 33—*Teachers in posts of special responsibility in new or expanding further education centres*

3. Regulation 33 of the Principal Regulations, which enables the Secretary of State to give a direction as to the responsibility element to be included in the salary of a teacher in a new or expanding school, shall, with the necessary modifications, apply in relation to the salary of a teacher appointed to a post of special responsibility in a new or expanding further education centre.

Amendment of Regulation 47—*Revocation of Regulations*

4. The proviso to paragraph (1) of Regulation 47 of the Principal Regulations, which enables the Secretary of State and education authorities to exercise functions under any regulation revoked by the said Regulation in relation to the salary payable to a teacher in respect of employment in the period during which the regulation so revoked was in operation, shall not apply to the re-assessment of the length of service of the teacher for the purposes of the

(a) 9 & 10 Geo. 6. c. 72. (b) 4 & 5 Eliz. 2. c. 75. (c) S.I. 1956/1656 (1956 I, p. 768).

calculation of his salary for the said period; nor shall a similar power of re-assessment be exercised under regulations made before the regulation so revoked, unless, in either case, the teacher has applied for re-assessment before 1st October, 1958: and accordingly at the end of paragraph (1) of the said Regulation 47 there shall be inserted—"so, however, that the power to re-assess the length of service of the teacher for the purpose of the calculation of his salary for the said period shall not, save in exceptional circumstances, be exercised unless the teacher has applied for re-assessment before 1st October, 1958; nor shall a power to re-assess be exercised, save in exceptional circumstances, under regulations made before the regulations so revoked unless the teacher has applied for re-assessment before the said date".

Amendment of First Schedule, Part I—Teachers of physical education

5. The salaries of certain women teachers holding the Teacher's General Certificate with a Diploma in Physical Education shall be calculated by reference to Scale XII set forth in Part II of the First Schedule to the Principal Regulations instead of by reference to Scale XIII of the said Part II: and accordingly—

(1) After sub-paragraph (1) of paragraph 4 of Part I of the said First Schedule the following sub-paragraph shall be inserted:—

"(1A) the teacher, being a woman, holds the Teacher's General Certificate with a Diploma in Physical Education obtained at the Training Centre or Training College as a result of a course leading to the award of the Diploma extending to not more than one year and completed before October, 1951, or", and

(2) in sub-paragraph (2) of paragraph 5 of the said Part I, after the words "not more than one year" there shall be inserted the words "not being a teacher to whom the provisions of sub-paragraph (1A) of the last foregoing paragraph apply".

John S. Maclay,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
6th March, 1958.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations amend the Teachers' Salaries (Scotland) Regulations, 1956. The purpose of the amendment of Regulation 18 is to enable the responsibility element in the salaries of teachers in a school affected by the re-organisation of the educational arrangements in an area made after the Regulations come into operation to be adjusted without the delay of a year required by the Regulation. Regulation 33, which enables the responsibility element in the salaries of teachers in new or expanding schools to be specially prescribed, is being applied to the salaries of teachers in posts of special responsibility in new or expanding further education centres. The purpose of the amendment of Regulation 47 is to fix a date after which applications will not, save in exceptional circumstances, be accepted from teachers for the re-assessment of the length of their service for the purpose of the calculation of the salaries due to them under salary regulations which have been revoked. The amendment of the First Schedule places certain women teachers of physical education on a higher salary scale.