

(2) Notwithstanding the revocation of these Regulations the holder of a State Exhibition awarded under them may continue to hold the Exhibition as if the Regulations had not been revoked.

12. The Interpretation Act, 1889, shall apply for the purpose of the interpretation of these Regulations as it applies for the purpose of the interpretation of an Act of the Parliament of Northern Ireland.

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 24th day of June, 1953, in the presence of

(L.S.)

J. A. Glen,
Assistant Secretary.

The Ministry of Finance for Northern Ireland hereby approves of the foregoing Regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 24th day of June, 1953, in the presence of

(L.S.)

Thom McCrea,
Assistant Secretary.

SCHEDULE

(Regulation 4)

- Part I. The order of merit for Group I Exhibitions shall be determined by the addition of the marks obtained in four Advanced subjects of the examination including at least three of the following subjects : English Literature, Ancient History, Modern History, languages other than English.
- Part II. The order of merit for Group II Exhibitions shall be determined by the addition of the marks obtained in four Advanced subjects of the examination including at least three of the following subjects : Algebra and Trigonometry, Calculus, Geometry, Mechanics, Physics, Chemistry, Botany or Biology, Geography, Domestic Science, Geometrical Drawing.

Teachers' Salaries and Allowances : Compensation Grants

REGULATIONS, DATED 3RD JULY, MADE BY THE MINISTRY OF EDUCATION AFTER CONSULTATION WITH THE MINISTRY OF FINANCE, UNDER THE EDUCATION ACTS (NORTHERN IRELAND), 1947 TO 1953.

1953. No. 95

The Ministry of Education (hereinafter referred to as "the Ministry") in exercise of the powers conferred upon 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.—(1) These Regulations may be cited as the Teachers' Salaries and Allowances (Compensation Grants) Regulations, 1953.

(2) These Regulations shall come into operation on the date hereof.

2.—(1) In these Regulations, unless the context otherwise requires, the following expressions shall have the meanings hereby assigned to them, that is to say :—

“ allowance ” means an annual allowance (other than salary or an allowance payable in respect of a university degree or other qualification) payable to a teacher under the Regulations applicable to his salary, by virtue of his being employed in a school as principal, vice-principal or the holder of a post of special responsibility :

“ compensation grant ” means an annual grant awarded to a teacher under the provisions of these Regulations :

“ recognised ” means recognised by the Ministry :

“ school ” means a grant-aided school :

“ teacher ” means a person who, with the approval of the Ministry, is employed on the teaching staff of a school in a post for which he possesses qualifications for permanent recognition.

(2) Other expressions to which meanings have been assigned by the Act shall, for the purpose of these Regulations, have the same respective meanings.

3. Where a primary school (other than a nursery school) is discontinued or where the number of pupils enrolled in such a school has been reduced and it appears to the Ministry that as a result thereof an allowance payable to any teacher employed in the school is or will be due to be discontinued or reduced under the provisions of the Regulations applicable to the salary of that teacher, the Ministry shall consider whether the discontinuance of the said school or the reduction of the number of pupils enrolled therein, as the case may be, has been directly caused by the reorganisation of the educational facilities in the district normally served by the school (hereinafter referred to as “ reorganisation ”).

4. If it appears to the Ministry that the discontinuance of the school or the reduction of the number of pupils enrolled in it has been directly caused by reorganisation the Ministry shall determine :—

(a) the date (hereinafter referred to as the “ appropriate date ”) upon which such reorganisation took place ;

(b) the normal enrolment of the school, that is to say—

(i) the maximum number of pupils for which, in the opinion of the Ministry, the school could normally be expected to provide education ; or

(ii) the average daily enrolment of pupils in the school during the year ended 31st December immediately

preceding the appropriate date ; whichever is the lesser number.

In determining the maximum number under sub-paragraph (i) hereof the Ministry shall take into account the accommodation available in the school, the teaching staff which the school could normally be expected to accommodate, the enrolment of pupils attending the school prior to the appropriate date and such other circumstances as appear to the Ministry to be relevant ;

- (c) in the case of any teacher in the school whose allowance is or will be due to be discontinued or reduced as a direct result of reorganisation, the allowance (if any) which would have been payable to him if the staffing of the school and the allowances payable to the teachers in the school had been calculated by reference to the normal enrolment of the school. An allowance so determined shall for the purpose of these Regulations be called a " normal allowance ".

5. Subject to the provisions of these Regulations, a teacher in respect of whom a normal allowance has been determined and who—

- (a) on the appropriate date had reached the age of 40 years, and
 (b) during the period of five years immediately before the appropriate date was employed continuously in the position in respect of which the said normal allowance has been determined, and
 (c) as a direct result of reorganisation would, but for the making of these Regulations, have his allowance discontinued or reduced to an amount which is less than the amount of the said normal allowance,

shall be entitled to receive with effect from the appropriate date, a compensation grant at an annual rate equal to the normal allowance so determined for the period of service as a teacher prescribed herein which is applicable to his age :

If on the appropriate date —

- he had reached the age of 40 years but had not reached the age of 45 years — 3 years ;
 he had reached the age of 45 years but had not reached the age of 50 years — 5 years ;
 he had reached the age of 50 years — until, under the provisions of the Teachers (Superannuation) Act (Northern Ireland), 1950, he is deemed to have reached the age of 65 years.

Provided that in the case of a teacher who during the period of five years immediately before the appropriate date was continuously employed in a school but whose service during that period was given in two or more positions in respect of all of which he was in receipt of allowances, the provisions of this Regulation shall be applied as if during that period of five years he was continuously employed in the most junior of those positions, in order of responsibility.

Provided also that where a teacher who after the appropriate date continues to serve in the position which he held immediately before that date and, under the Regulations relating to his salary, would, for a period immediately after the appropriate date, have been entitled to receive an allowance at a rate which is equal to or in excess of the rate of compensation grant payable to him, that allowance shall be paid to him, to the exclusion of compensation grant, as if these Regulations had not been made and the period of his entitlement to compensation grant shall be reduced by the period after the appropriate date in respect of which the said allowance is so paid.

6. Where the Ministry is satisfied that —

(a) between 1st April, 1948, and the date on which these Regulations take effect a teacher's allowance was reduced or discontinued as a direct result of reorganisation, and

(b) the provisions of Regulations 3, 4 and 5 of these Regulations would have applied to his allowance if those Regulations had been in operation with effect from 1st April, 1948, the Ministry may pay to him the like compensation grant as if the reorganisation took place on the date on which these Regulations come into operation, so, however, that for the purpose of the provisions in Regulation 5 regarding a teacher's age and previous teaching service the appropriate date shall be the date as determined by the Ministry, on which reorganisation took place.

7.—(1) The amount of any compensation grant payable to a teacher in respect of any period shall be reduced by the amount of any allowance or allowances which may become payable to him in respect of the same period.

(2) Should a teacher who has been awarded a compensation grant become entitled to an allowance or allowances at a rate which is equal to or is more than the rate of the compensation grant, his right to receive a compensation grant shall thereupon be suspended and the period of his entitlement to compensation grant shall be reduced accordingly.

Provided that for the purpose of this Regulation the term "allowance" shall include, in addition to the payments mentioned in Regulation 2, a special schools allowance as defined in the Regulations relating to the remuneration of teachers employed in special schools.

8. A compensation grant awarded to a teacher shall be payable at the same times and subject to the same conditions, including conditions affecting entitlement in respect of periods of absence from teaching duties, as allowances payable under the Regulations relating to the payment of his salary.

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 3rd day of July, 1953, in the presence of

(L.S.)

R. S. Brownell,
Secretary.