

1976 No. 2228

EDUCATION, ENGLAND AND WALES

**The Remuneration of Teachers (Primary and Secondary Schools)
(Amendment No. 3) Order 1976**

Made - - - 23rd December 1976

Coming into Operation 24th December 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 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); and the Remuneration of Teachers (Primary and Secondary Schools) (Amendment No. 2) Order 1976(d);

(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

(a) 1965 c. 3.

(c) S.I. 1976/656 (1976 I, p. 1802).

(b) S.I. 1975/1558 (1975 III, p. 5400).

(d) S.I. 1976/1192 (1976 II, p. 3352).

(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 as were requisite for giving effect to representations made by the Committee.

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 No. 3) Order 1976 and shall come into operation on 24th December 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, with effect from 1st September 1976, in the manner specified in the Schedule to this Order.

SCHEDULE

AMENDMENTS EFFECTIVE FROM 1ST SEPTEMBER 1976

In section 1 of Part I of the Document—

- (a) In sub-section 1(b) there shall be deleted the following words—
“For the purpose of this sub-section remuneration means remuneration as defined in section 7 of the Remuneration, Charges and Grants Act 1975(b).”
- (b) There shall be inserted after sub-section 1(b) the following sub-section—
“(bb) A teacher to whom the preceding sub-section applies may be paid an increment on 1 September 1976 equal to whichever is the greater of the following amounts—
(i) the increment or part thereof withheld on 1 September 1975; or
(ii) the increment which would have been payable to him on 1 September 1976 if his incremental progression had not been interrupted by reason of the provisions of sub-section (b) above.”
- (c) For sub-section 1(c) there shall be substituted the following sub-section—
“(c) With effect from 1 April 1976 a teacher whose remuneration does not exceed £8,500 per annum shall receive an additional payment at the rate of £312 per annum, save that if such payment would increase his rate of remuneration beyond £8,500 per annum he shall be paid such part only as will increase his rate of remuneration to that amount. 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”.

(a) 1889 c. 63.

(b) 1975 c. 57.

- (d) There shall be inserted after sub-section 1(c) the following sub-section—
- “(cc) Entitlement to the additional payment referred to in the preceding sub-section shall be recalculated in accordance with the provisions of that sub-section whenever there is any change in the remuneration (apart from the said additional payment) payable to a teacher under this document, provided that no recalculation shall be made by reason of a teacher becoming eligible for an annual increment or part of such increment on 1 September 1976, except such recalculation as may be necessary to secure that his total remuneration after payment of the increment shall not exceed what it would have been had he been in receipt of salary at the maximum of his scale on 31 August 1976.”
- (e) There shall be inserted after sub-section 1(cc) the following paragraph—
- “For the purpose of sub-sections (b), (bb), (c) and (cc) remuneration means remuneration as defined in section 7 of the Remuneration, Charges and Grants Act 1975.”

Given under the Official Seal of the Secretary of State for Education and Science on 23rd December 1976.

Margaret M. Jackson,

(L.S.)

Parliamentary Under Secretary of State
Department of Education and Science.

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, modifies the restriction on the payment of increments to teachers whose remuneration amounts to £8,500 per annum or more, and makes certain changes in the provisions relating to the additional payment referred to in sub-section 1(c) of 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 amendments take effect retrospectively on 1st September 1976, by virtue of section 7(3) of the Remuneration of Teachers Act 1965.

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