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THE EDUCATION (SALARIES AND STAFFING)
REGULATIONS 1957, AMENDMENT NO. 16

KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 19th day of December
1977

Present:

THE RT. HON. R. D. MULDOON PRESIDING IN COUNCIL

PURSUANT to the Education Act 1964, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Education (Salaries and Staffing) Regulations 1957, Amendment No. 16, and shall be read together with and deemed part of the Education (Salaries and Staffing) Regulations 1957* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the day after the date of their notification in the *Gazette*.

2. Period for which permanent teachers entitled to be paid—The principal regulations are hereby amended by revoking regulation 9, and substituting the following regulation:

*S.R. 1957/119

- Amendment No. 1: S.R. 1960/112
- Amendment No. 2: S.R. 1961/54
- Amendment No. 3: S.R. 1964/14 (*Revoked by S.R. 1973/29*)
- Amendment No. 4: S.R. 1965/161
- Amendment No. 5: S.R. 1966/46
- Amendment No. 6: S.R. 1967/25
- Amendment No. 7: S.R. 1967/281 (*Revoked by S.R. 1976/304*)
- Amendment No. 8: S.R. 1968/22
- Amendment No. 9: S.R. 1969/59 (*Revoked by S.R. 1972/175*)
- Amendment No. 10: S.R. 1970/59 (*Revoked by S.R. 1976/129*)
- Amendment No. 11: S.R. 1972/175
- Amendment No. 12: S.R. 1973/29 (*Revoked by S.R. 1976/304*)
- Amendment No. 13: S.R. 1976/129 (*Revoked by S.R. 1977/149*)
- Amendment No. 14: S.R. 1976/304
- Amendment No. 15: S.R. 1977/149

- “9. (1) Subject to the provisions of this regulation, a teacher shall be entitled to be paid in respect of only the following periods:
- “(a) Where the first term of the school concerned commences after the 31st day of January in any year and the teacher enters upon his duties on the first day of that term, the period commencing on the 1st day of February in that year and ending with the school day upon which his duties cease:
- “(b) In any case to which paragraph (a) of this subclause does not apply, the period commencing on the school day on which the teacher enters upon his duties and ending with the school day upon which his duties cease:
- “(c) Any day that is—
- “(i) A Saturday; or
- “(ii) A Sunday; or
- “(iii) A day specified in regulation 5 (2) of the Education (Terms and Holidays) Regulations 1977—
- if it is immediately preceded by a day in respect of which the teacher is entitled to be paid pursuant to paragraph (a) or paragraph (b) of this subclause or to this paragraph:
- “(d) Subject to subclause (5) of this regulation, where on the day on which the teacher’s duties cease, he is employed in a school or department that is normally open for more than 389 half days per school year, the lesser of the 2 following periods:
- “(i) The sum of all the school vacations between that day and the following 31st day of January:
- “(ii) One quarter of his teaching service during the year ending with the following 31st day of January:
- “(e) Subject to subclause (5) of this regulation, where, on the day on which the teacher’s duties cease, he is employed in a school or department that is normally open for fewer than 390 half days per school year, the lesser of the 2 following periods:
- “(i) The sum of all the school vacations between that day and the following 31st day of January:
- “(ii) Three tenths of his teaching service during the year ending with the following 31st day of January:
- “(f) Any period necessarily occupied in transferring from one position to another.
- “(2) For the purposes of paragraphs (d) and (e) of subclause (1) of this regulation,—
- “(a) The summer vacation in every school year shall be deemed to end with a day no later than the 31st day of January; and
- “(b) In the case of a teacher who is appointed to a position from the commencement of the third term in any school year, the vacation preceding that term shall be deemed to be 3 weeks.
- “(3) Nothing in this regulation shall entitle any teacher to be paid more than once in respect of any day or period.
- “(4) A teacher who is appointed to a new position that is not a relieving position on the first day of any month and who, after making allowance for the time necessarily involved in transferring to that

position, enters upon his duties on the earliest possible school day after the last school day preceding that day, shall be paid the salary prescribed for his new position on and from the first day of that month.

“(5) Where any teacher has during any school year been on leave without pay for a period or periods exceeding in the aggregate 5 school days, the number of days of school vacation in respect of which he would otherwise be entitled to be paid shall be reduced—

“(a) By one quarter of the number of days for which he was on such leave if the school or department in which he was employed is normally open for more than 389 half days; or

“(b) By three tenths of the number of days for which he was on such leave in any other case.

“(6) Where the Director-General is satisfied that for special reasons the teacher should so be paid, a teacher may be paid for vacations for a period longer than otherwise permitted by the foregoing provisions of this regulation.

“(7) This regulation shall apply to the payment of salaries of probationary assistants and the payment of allowances to students of teachers colleges.”

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations amend the Education (Salaries and Staffing) Regulations 1957 to provide for the payment of teachers where the first term in any year starts before 1 February.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 22 December 1977.

These regulations are administered in the Education Department.