
WELSH STATUTORY INSTRUMENTS

2005 No. 36 (W.3)

EDUCATION, WALES

**The General Teaching Council for Wales
(Additional Functions) Order 2005**

Made - - - - *11 January 2005*

Coming into force - - *9 February 2005*

In exercise of the powers conferred on the Secretary of State by sections 7(1) and (3) and 42(6) and (7) of the Teaching and Higher Education Act 1998⁽¹⁾ and now vested in the National Assembly for Wales⁽²⁾, the National Assembly for Wales, being of the opinion that the General Teaching Council for Wales may, in conjunction with their other functions, appropriately discharge the additional functions hereby conferred, and having carried out such consultation as appears to it to be appropriate in accordance with section 7(2) of the Teaching and Higher Education Act 1998 hereby makes the following Order:

Name and commencement

1. This Order is called the General Teaching Council for Wales (Additional Functions) Order 2005 and comes into force on 9 February 2005.

Interpretation

2. In this Order —

“the Council” (“*y Cyngor*”) means the General Teaching Council for Wales;

“the Directive” (“*y Gyfarwydddeb*”) means Council Directive [89/48/EEC](#)⁽³⁾ on a general system for the recognition of higher-education diplomas awarded on completion of professional education and

training of at least three years' duration;

“the Regulations” (“*y Rheoliadau*”) means the European Communities (Recognition of Professional Qualifications) (First General System) Regulations 2005⁽⁴⁾; and

(1) [1998 c. 30](#). The relevant provisions apply in relation to the General Teaching Council for Wales by virtue of sections 8 and 9 of the Act and the General Teaching Council for Wales Order 1998 (S.I. [1998/2911](#), as amended by S.I. [2002/2940 \(W.281\)](#)). Section 7(3) was amended by paragraph 78 of Schedule 21 to the Education Act [2002 \(c. 32\)](#).

(2) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. [1999/672](#)).

(3) OJ No L19, 24.1.89, p.16.

(4) S.I. [2005/18](#).

“relevant state” (“*gwladwriaeth berthnasol*”) means a member state of the European Community, Iceland, Norway, Liechtenstein or Switzerland.

Additional Functions

3.—(1) The Council, having been designated in accordance with the Regulations, is to have the function of considering applications and granting authorisations to practice the profession of school teacher in Wales for the purpose of the Directive.

(2) The Council is to give advice and information to the public about the requirements for recognition in Wales of teaching qualifications obtained in a relevant state.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998⁽⁵⁾.

11 January 2005

D. Elis-Thomas
The Presiding Officer of the National Assembly

(5) 1998 c. 38.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order confers additional functions on the General Teaching Council for Wales. The Council's functions include establishing and maintaining a register of teachers, issuing a Code of Practice laying down the standards of professional conduct and practice expected of registered teachers, exercising disciplinary powers in relation to registered teachers and persons applying for registration and giving advice about teaching issues to the National Assembly for Wales.

The Council is specified as a designated authority in the European Communities (Recognition of Professional Qualifications) (First General System) Regulations 2005, which are made under the European Communities Act 1972. Those Regulations give effect to Directive [89/48/EEC](#) on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration. This Order confers on the Council the function of acting as a designated authority. As a designated authority the Council is to deal with applications from persons who qualified in a relevant state (member states of the European Community, Iceland, Norway, Liechtenstein and Switzerland) for recognition of their professional qualifications

The Council is also given the additional function of providing information and advice to the public about the requirements for recognition in Wales of teaching qualifications obtained in a relevant state.