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WELSH STATUTORY INSTRUMENTS

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**2005 No. 68 (W.6)**

**EDUCATION, WALES**

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

*Made* - - - - 18 January 2005

*Coming into force* - - 21 January 2005

In exercise of the powers conferred on the Secretary of State by sections 7(1) and (4) and 42(6) and (7) of the Teaching and Higher Education Act 1998<sup>(1)</sup> and now vested in the National Assembly for Wales<sup>(2)</sup>, the National Assembly for Wales, being of the opinion that the General Teaching Council for Wales may, having regard to their general objectives, appropriately discharge the additional functions hereby conferred and having carried out such consultation as appears to it to be appropriate, makes the following Order:

**Name and commencement**

1. This Order is called the General Teaching Council for Wales (Additional Functions) (Amendment) Order 2005 and comes into force on 21 January 2005.

**Amendment of the General Teaching Council for Wales (Additional Functions) Order 2002**

2. The General Teaching Council for Wales (Additional Functions) Order 2000<sup>(3)</sup> is amended as follows.

3. In article 2 —

(a) omit the definition of “the 1988 Act”;

(b) substitute for the definition of “qualified teacher” the following —

““qualified teacher” (“*athro neu athrawes gymwysedig*”) has the same meaning as in section 132(1) of the Education Act 2002<sup>(4)</sup>.”

4. In Part II of the Schedule —

(a) substitute for paragraph 12 the following —

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(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).  
(2) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).  
(3) S.I. 2000/1941 (W.139) amended by S.I. 2001/2497 (W.201).  
(4) 2002 c. 32. See the Education (School Teachers' Qualifications) (Wales) Regulations 2004, S.I. 2004/1729 (W. 173).

“12. If known,

- (a) the date on which the person took up his or her first post as a qualified teacher;
  - (b) the date on which the person was first employed (if at all) as a supply teacher under paragraph 4 of Schedule 1 to the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2003<sup>(5)</sup>; and
  - (c) the date on which the person was first employed (if at all) as a supply teacher by virtue of regulation 18(2)<sup>(6)</sup> of the Education (Induction for School Teachers) (Wales) Regulations 2003.”;
- (b) omit paragraph 14(e) and the preceding “and”;
  - (c) in paragraph 16(c) add, after “person” the words “which the Council considers relevant to employment as a teacher”;
  - (d) in paragraph 19 substitute for the words “to his or her employment as a teacher under regulations made under section 218(1) and (2) of the 1988 Act” the words “to the person carrying out specified work under regulations made under section 133 of the Education Act 2002<sup>(7)</sup>”; and
  - (e) substitute for paragraph 22 the following —

“22. The terms of any restriction or particulars of any prohibition for the time being in force in relation to the person as the result of a direction given by the National Assembly or the Secretary of State under section 142 of the Education Act 2002<sup>(8)</sup>.”.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998<sup>(9)</sup>

18 January 2005

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

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<sup>(5)</sup> [S.I. 2003/543 \(W.77\)](#). Paragraph 4 of Schedule 1 was substituted by [S.I. 2004/872 \(W.87\)](#).

<sup>(6)</sup> Regulation 18(2) was inserted by [S.I. 2004/872 \(W.87\)](#).

<sup>(7)</sup> See the Education (Specified Work and Registration) (Wales) Regulations 2004, [S.I. 2004/1744 \(W. 183\)](#).

<sup>(8)</sup> 2002 p.32.

<sup>(9)</sup> 1998 c. 38.

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the General Teaching Council for Wales (Additional Functions) Order 2000 (“the 2000 Order”). That Order requires the General Teaching Council for Wales (“the Council”) to maintain records relating to specified categories of persons.

The amendments made by this Order require the Council to include in the records the date on which a person was first employed as a supply teacher in accordance with the provisions of the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2003 as amended by the Education (Induction Arrangements for School Teachers) (Amendment) (Wales) Regulations 2004. This will enable the Council to monitor whether a person is permitted to continue in employment as a supply teacher under those Regulations. Those Regulations impose limits on the periods during which a person who has not served an induction period may be employed as a supply teacher.

This Order also makes other minor amendments to the 2000 Order.

It restricts the particulars of a person’s academic and professional qualifications included in the records to qualifications that are relevant to employment as a teacher.

It also makes amendments consequential on the Education Act 2002, replacing references in the 2000 Order to the Education Reform Act 1988 with references to the 2002 Act.