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SCOTTISH STATUTORY INSTRUMENTS

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**2004 No. 390**

**EDUCATION**

**The Teachers (Medical Requirements for Admission to Training and Registration) (Scotland) Amendment Regulations 2004**

*Made* - - - - 8th September 2004  
*Laid before the Scottish Parliament* - - - - 9th September 2004  
*Coming into force* - - 1st October 2004

The Scottish Ministers, in exercise of the powers conferred by sections 6(2)(ba) and 7(1) of the Teaching Council (Scotland) Act 1965(1) and of all other powers enabling them in that behalf, after consulting with the General Teaching Council for Scotland and such organisations as appeared to them to be representative of the interests of education authorities, in accordance with section 6(2A) of that Act(2); after considering and determining to give effect to a recommendation made by that Council under section 2(2) of that Act, in accordance with section 7(3) of that Act; and having, not less than 40 days before making these Regulations, caused a draft of the Regulations to be published and having sent a copy thereof to every education authority and having had regard to any representations made by an education authority or by any person interested, in accordance with section 7(8A) of that Act, hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Teachers (Medical Requirements for Admission to Training and Registration) (Scotland) Amendment Regulations 2004 and shall come into force on 1st October 2004.

**Amendment of the Teachers (Entitlement to Registration) (Scotland) Regulations 1991**

2. Regulation 2(d) of the Teachers (Entitlement to Registration) (Scotland) Regulations 1991(3) is omitted.

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(1) 1965 c. 19; section 6(2)(ba) was inserted by the Self-Governing Schools etc. (Scotland) Act 1989 (c. 39), Schedule 10 paragraph 2; section 7 was amended by the Education (Scotland) Act 1969 (c. 49), Schedule 2, Part II, paragraph 2, by the Education (Scotland) Act 1981 (c. 58) section 17 and by the Further and Higher Education (Scotland) Act 1992 (c. 37) section 55. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).  
(2) Section 6(2A) was inserted by the Self-Governing Schools etc. (Scotland) Act 1989 (c. 39), Schedule 10, paragraph 2.  
(3) S.I. 1991/1136.

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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**Amendment of the Teachers (Education, Training and Recommendation for Registration) (Scotland) Regulations 1993**

3. Regulations 3(1)(c) and 6(b)(ii) of the Teachers (Education, Training and Recommendation for Registration) (Scotland) Regulations 1993(4) are omitted.

St Andrew's House, Edinburgh  
8th September 2004

*PETER J PEACOCK*  
A member of the Scottish Executive

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(4) S.I. 1993/2732.

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## EXPLANATORY NOTE

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

These Regulations remove the medical requirements relating to admission to teacher training and for recommendation/entitlement to be registered by the General Teaching Council for Scotland (“the Council”). Regulation 2 removes regulation 2(d) of the Teachers (Entitlement to Registration) (Scotland) Regulations 1991 which requires persons to provide evidence that they are medically fit to teach, in addition to satisfying the requirements for recognition set out in the European Communities (Recognition of Professional Qualifications) Regulations 1991 (S.I. 1991/824) before being entitled to be registered in the register of teachers maintained by the Council. Regulation 3 removes regulations 3(1)(c) and 6(b)(ii) of the Teachers (Education, Training and Recommendation for Registration) (Scotland) Regulations 1993 which set as one of the conditions for admission to teacher training and for recommendation for registration by the Council that the person seeking admission or registration satisfy the medical officer of the Teacher Training Institution that they are medically fit to teach.