



Teaching and Higher Education Act 1998

1998 CHAPTER 30

PART IV

MISCELLANEOUS AND GENERAL

General

43 General interpretation.

(1) In this Act—

“the Council” means the body corporate referred to in section 1(1);

“functions” includes powers and duties;

[^{F1}“local authority” has the same meaning as in the Education Act 1996 (see section 579(1) of that Act);]

“modifications” includes additions, alterations and omissions, and “modify” shall be construed accordingly;

“prescribed” means prescribed by regulations;

“registered teacher” means (subject to paragraph 8 of Schedule 2) a person for the time being registered under section 3 [^{F2}with full or provisional registration];

“regulations” means regulations made by the Secretary of State under this Act.

(2) In the following provisions of this Act, namely—

(a) sections 12, 15 and 19, and

(b) Schedule 2,

“employer”, in relation to a teacher, includes a [^{F3}local authority], governing body or other person who engage (or make arrangements for the engagement of) that person to provide his services as a teacher otherwise than under a contract of employment, and “employed”, “employment” and any expressions relating to the termination of employment shall be construed accordingly.

Changes to legislation: Teaching and Higher Education Act 1998, Section 43 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F1** Words in s. 43(1) inserted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, **Sch. 2 para. 9(4)**
- F2** Words in s. 43(1) inserted (1.8.2003 for E. for specified purposes, 6.11.2006 so far as not already in force except in relation to W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), **Sch. 12 para. 10** (with ss. 210(8), 214(4)); S.I. 2003/1667, art. 3; S.I. 2006/2895, art. 2
- F3** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), art. 1, **Sch. 2 para. 9(2)**

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 22(4A)(4B) inserted by [2017 c. 29 s. 86\(4\)](#)
- s. 22(5)(ea) inserted by [2017 c. 29 s. 86\(5\)\(d\)](#)
- s. 22(11) inserted by [2017 c. 29 s. 86\(7\)](#)
- s. 28A inserted by [2022 c. 21 s. 15\(1\)](#)