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STATUTORY INSTRUMENTS

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**2008 No. 1884**

**EDUCATION, ENGLAND**

**The General Teaching Council for England (Eligibility  
for Provisional Registration) Regulations 2008**

<i>Made</i>	- - - -	<i>15th July 2007</i>
<i>Laid before Parliament</i>		<i>22nd July 2008</i>
<i>Coming into force</i>	- -	<i>1st September 2008</i>

The Secretary of State for Children, Schools and Families makes the following Regulations in exercise of the powers conferred by section 3(3A) of the Teaching and Higher Education Act 1998<sup>(1)</sup>.

In accordance with section 42(9) of that Act he has consulted the General Teaching Council for England.

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the General Teaching Council for England (Eligibility for Provisional Registration) Regulations 2008 and come into force on 1st September 2008.

(2) They apply only in relation to England.

**Eligibility for provisional registration**

2.—(1) A person is eligible for provisional registration if the person is not for the time being—

- (a) subject to a direction under section 142(1)(a) of the Education Act 2002<sup>(2)</sup> (prohibition from teaching, etc);
- (b) subject to a disciplinary order made under Schedule 2 to the Teaching and Higher Education Act 1998 (disciplinary powers of Council), by virtue of which the person is not eligible for registration; or
- (c) ineligible for registration as a teacher in Scotland or Northern Ireland, or disqualified from being a teacher in any school, by virtue of—

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(1) 1998 c.30; subsection (3A) was inserted by paragraph 3(5) of Schedule 12 to the Education Act 2002. See section 43(1) for the definitions of “prescribed” and “regulations”.

(2) 2002 c.32. Section 142(1)(a) was prospectively repealed by Schedule 10 to the [Safeguarding Vulnerable Groups Act 2006](#) (c. 47).

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- (i) section 11 of the Teaching Council (Scotland) Act 1965<sup>(3)</sup>;
- (ii) regulation 9 of the Teachers' (Eligibility) Regulations (Northern Ireland) 1997<sup>(4)</sup>; or
- (iii) regulations made under article 36 of the Education (Northern Ireland) Order 1998<sup>(5)</sup>.

15th July 2008

*Jim Knight*  
Minister of State  
Department for Children, Schools and Families

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<sup>(3)</sup> 1965 c. 19; section 11 was amended by section 50 of the [Standards in Scotland's Schools etc \(Scotland\) Act 2000 \(asp 6\)](#).  
<sup>(4)</sup> S.R. (N.I.) 1997 No. 312.  
<sup>(5)</sup> S.I. 1998 No. 1759 (N.I. 13).

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## EXPLANATORY NOTE

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

These Regulations prescribe those persons who are eligible for provisional registration with the General Teaching Council for England.