
WELSH STATUTORY INSTRUMENTS

2012 No. 724 (W.96)

EDUCATION, WALES

The School Teachers' Qualifications (Wales) Regulations 2012

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| <i>Made</i> | - - - - | <i>6 March 2012</i> |
| <i>Laid before the National Assembly for Wales</i> | - - | <i>8 March 2012</i> |
| <i>Coming into force</i> | - - | <i>1 April 2012</i> |

The Welsh Ministers, in exercise of the powers conferred on the National Assembly for Wales by sections 132, 145 and 210(7) of the Education Act 2002(1) now exercisable by them(2), having consulted the General Teaching Council for Wales in accordance with section 132(4) of that Act, and in exercise of the powers conferred on the Secretary of State by sections 19 and 42(6) and (7) of the Teaching and Higher Education Act 1998 now exercisable by them(3) make the following Regulations:

Title, commencement and application

1. The title of these Regulations is the School Teachers' Qualifications (Wales) Regulations 2012 and they come into force on 1 April 2012.
2. These Regulations apply in relation to Wales.

Commencement Information

- I1** Reg. 1 in force at 1.4.2012, see [reg. 1](#)
I2 Reg. 2 in force at 1.4.2012, see [reg. 1](#)

Interpretation

3. In these Regulations—

(1) [2002 c. 32](#). “Regulations” in sections 132 and 145 means regulations made by the National Assembly for Wales (see section 212(1)). There are amendments to section 145 not relevant to these Regulations.
(2) The functions of the National Assembly for Wales under these sections were transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 ([c. 32](#)).
(3) [1998 c. 30](#). The functions of the Secretary of State under these sections were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672) and then to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006.

Status: Point in time view as at 01/12/2023.

Changes to legislation: There are currently no known outstanding effects for the The School Teachers' Qualifications (Wales) Regulations 2012. (See end of Document for details)

“the 1982 Regulations” (“*Rheoliadau 1982*”) means the Education (Teachers) Regulations 1982(4);

“the 1989 Regulations” (“*Rheoliadau 1989*”) means the Education (Teachers) Regulations 1989(5);

“the 1993 Regulations” (“*Rheoliadau 1993*”) means the Education (Teachers) Regulations 1993(6);

“the 1999 Regulations” (“*Rheoliadau 1999*”) means the Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999(7);

“the 2004 Regulations” (“*Rheoliadau 2004*”) means the Education (School Teachers' Qualifications) (Wales) Regulations 2004(8);

“the 2006 Scheme” (“*Cynllun 2006*”) means the Employment Based Teacher Training Scheme 2006 made by the National Assembly for Wales on 24 February 2006(9) pursuant to regulation 8 of the 2004 Regulations, as amended by the National Assembly for Wales Employment Based Teacher Training Scheme (Amendment) 2006 on 15 November 2006(10);

“the 2011 Scheme” (“*Cynllun 2011*”) means the Employment Based Teacher Training Scheme 2011 made by the Welsh Ministers on 25 August 2011 pursuant to regulation 8 of the 2004 Regulations(11);

[^{F1}“the 2021 Act” (“*Deddf 2021*”) means the Curriculum and Assessment (Wales) Act 2021;]

“academy” (“*academi*”) means an independent school in England to which academy arrangements relate;

“academy arrangements” (“*trefniadau academi*”) has the meaning given by section 1 of the Academies Act 2010(12);

[^{F2}“accredited course or programme of study” (“*cwrs neu raglen astudio achrededig*”) means an accredited course or programme of initial school teacher training accredited by the Council under its functions in the Education Workforce Council (Accreditation of Initial Teacher Training) (Additional Functions) (Wales) Order 2017;]

“accredited institution” (“*sefydliad achrededig*”) means an institution accredited by the Higher Education Funding Council for Wales under regulation 7;

“accredited institution in England” (“*sefydliad achrededig yn Lloegr*”) means an institution approved or accredited as a provider of courses or programmes of initial school teacher training in England under regulations made by the Secretary of State under section 132 of the Education Act 2002;

“city college” (“*coleg dinasol*”) means a city technology college or a city college for the technology of the arts;

“the Council” (“*y Cyngor*”) means [^{F3}the Education Workforce Council continued in existence by section 2 of the Education (Wales) Act 2014];

(4) S.I. 1982/106, amended by S.I. 1988/542 and 1989/329. S.I. 1982/106 was revoked by S.I. 1989/1319.

(5) S.I. 1989/1319, amended by S.I. 1989/1541, 1990/1561, 1991/1134, 1991/1840, 1991/2240 and 1992/1809. S.I. 1989/1319 was revoked by S.I. 1993/543 with transitional savings.

(6) S.I. 1993/543, amended by S.I. 1997/368, 1997/2679 and 1998/1584. S.I. 1993/543 was partially revoked in relation to Wales by S.I. 1999/2817 (W.18) with the remaining provisions being revoked by S.I. 2000/2419 and S.I. 2000/2906 (W.186).

(7) S.I. 1999/2817 (W.18), amended by S.I. 2002/1663 (W.158), 2002/2938 (W.279), 2003/140 (W.12), 2003/2458 (W.240), 2004/1729 (W.173), 2004/1744 (W.183), 2004/2733 (W.240) and 2010/1142 (W.101).

(8) S.I. 2004/1729 (W.173), amended by S.I. 2007/2811 (W.238), 2008/215 (W.26) and 2010/1142 (W.101).

(9) 2006 No.8.

(10) 2006 No.74.

(11) 2011 No.32.

(12) 2010 c. 32.

[^{F1}“Curriculum for Wales” (“*Cwricwlwm i Gymru*”) means the curriculum adopted or provided under Part 2 or 3 of the 2021 Act;]

“employment” (“*cyflogaeth*”) means employment under a contract of employment or the engagement of a person to provide services otherwise than under a contract of employment; and references to being “employed” are to be construed accordingly;

“employment-based teacher training scheme” (“*cynllun hyfforddi athrawon ar sail cyflogaeth*”) means the scheme described in regulation 8 or where the context so requires the schemes described in paragraphs 3 to 5 of Schedule 1;

“employment-based teacher training scheme in England” (“*cynllun hyfforddi athrawon ar sail cyflogaeth yn Lloegr*”) means a scheme established by the Secretary of State under regulations made under section 132 of the Education Act 2002 whereby a person may undertake initial teacher training in order to obtain qualified teacher status while being employed to teach;

“foreign institution” (“*sefydliad estron*”) means any institution other than a United Kingdom institution;

“foundation phase” (“*cyfnod sylfaen*”) is to be construed in accordance with section 102 of the Education Act 2002(**13**);

“institution” (“*sefydliad*”) means, unless the context otherwise requires, an institution within the further education sector or an institution within the higher education sector;

[^{F1}“nursery year” (“*blwyddyn meithrin*”) means the school year in which the majority of the pupils in the class attain the age of 4;]

“school” (“*ysgol*”) means a school maintained by a local authority or a special school not so maintained;

“specified standards” (“*safonau penodedig*”) means the standards applying at the time of assessment specified by the Welsh Ministers from time to time as the standards required of persons who seek to become qualified teachers;

“specified standards in England” (“*safonau penodedig yn Lloegr*”) means the standards applying at the time of assessment as specified by the Secretary of State from time to time as the standards required of persons who seek to achieve qualified teacher status in England;

“teaching” (“*addysgu*”) means carrying out work of a kind which is specified by regulations made under section 133 of the Education Act 2002(**14**) and “to teach” is to be construed accordingly;

“United Kingdom institution” (“*sefydliad yn y Deyrnas Unedig*”) means an institution established in the United Kingdom, other than one which is, or is affiliated to or forms part of, an institution whose principal establishment is outside the United Kingdom; and

[^{F1}“year 11” (“*blwyddyn 11*”) means a year group in which the majority of pupils attain the age of 16;]

references to the second, third or fourth key stages are to be construed in accordance with section 103 of the Education Act 2002(**15**).

F1 Words in reg. 3 inserted (1.9.2022) by The Curriculum and Assessment (Wales) Act 2021 (Consequential Amendments) (Secondary Legislation) (No. 2) Regulations 2022 (S.I. 2022/679), regs. 1(3), **10(2)(a)(i)**

(13) Section 102 was amended by the Learning and Skills (Wales) Measure 2009 (nawm 1), section 47 and the Education (Wales) Measure 2009 (nawm 5), section 21.

(14) The regulations in force at the time these Regulations are made are the Education (Specified Work and Registration) (Wales) Regulations 2010, S.I. 2010/2710 (W.227).

(15) Section 103 was amended by the Learning and Skills (Wales) Measure 2009 (nawm 1), section 47 and the Education (Wales) Measure 2009 (nawm 5), section 21.

Status: Point in time view as at 01/12/2023.

Changes to legislation: There are currently no known outstanding effects for the The School Teachers' Qualifications (Wales) Regulations 2012. (See end of Document for details)

- F2** Words in [reg. 3](#) inserted (10.3.2017) by [The Education Workforce Council \(Accreditation of Initial Teacher Training\) \(Wales\) Regulations 2017 \(S.I. 2017/165\)](#), regs. 1(2), **16(2)(a)**
- F3** Words in [reg. 3](#) substituted (10.3.2017) by virtue of [The Education Workforce Council \(Accreditation of Initial Teacher Training\) \(Wales\) Regulations 2017 \(S.I. 2017/165\)](#), regs. 1(2), **16(2)(b)**

Commencement Information

- I3** Reg. 3 in force at 1.4.2012, see [reg. 1](#)

Revocation and saving and transitional provisions

- 4.—(1) Subject to paragraph (2), the 2004 Regulations are revoked.
- (2) The saving and transitional provisions in Schedule 1 are to have effect.

Commencement Information

- I4** Reg. 4 in force at 1.4.2012, see [reg. 1](#)

Qualified Teacher Status

5. Subject to regulations 11, 12, 13 and 14 of the 1999 Regulations, persons are qualified teachers if they are persons mentioned in—

- (a) paragraphs 1 to 7 of Schedule 2 who have received written notification from the Welsh Ministers or the Council in accordance with regulation 6;
- (b) paragraphs 8 to 10 of Schedule 2—
 - (i) in respect of whom the States of Guernsey Education Department has submitted to the Welsh Ministers or the Council a statement that they satisfy the requirements specified in one of those paragraphs; and
 - (ii) who have received written notification from the Welsh Ministers or the Council in accordance with regulation 6;
- (c) paragraphs 4 to 10 of Schedule 2 who are qualified teachers by virtue of regulations made in relation to England under section 132 of the Education Act 2002; or
- (d) paragraphs 11 to 14 of Schedule 2.

Commencement Information

- I5** Reg. 5 in force at 1.4.2012, see [reg. 1](#)

Notification of qualified teacher status

6.—(1) Persons mentioned in paragraphs 1 to 3 of Schedule 2 must be notified in writing by the Welsh Ministers or the Council that they are qualified teachers.

(2) Persons mentioned in paragraphs 4 to 7 of Schedule 2 who are not qualified teachers by virtue of regulation 5(c) must be notified in writing by the Welsh Ministers or the Council that they are qualified teachers.

- (3) Persons mentioned in paragraphs 8 to 10 of Schedule 2—
- (a) who are not qualified teachers by virtue of regulation 5(c) on the grounds that they are not qualified teachers by virtue of regulations made in relation to England under section 132 of the Education Act 2002; and

(b) in respect of whom the States of Guernsey Education Department has submitted to the Welsh Ministers or the Council a statement that they satisfy the requirements specified in one of those paragraphs,
must be notified in writing by the Welsh Ministers or the Council that they are qualified teachers.

(4) Subject to paragraphs (5) to (9), persons who receive written notification under paragraphs (1), (2) or (3) are qualified from such date as the Welsh Ministers or the Council provide in the notification.

(5) In the case of persons mentioned in paragraph 2 of Schedule 2, the Welsh Ministers or the Council must not provide for such persons to be qualified teachers from a date prior to the date on which the assessment referred to in that paragraph is completed.

(6) In the case of persons mentioned in paragraph 5 of Schedule 2, the Welsh Ministers or the Council must provide for such persons to be qualified teachers from the date of successful completion of the course of initial school teacher training in Scotland or Northern Ireland.

(7) In the case of persons mentioned in paragraph 6 of Schedule 2, the Welsh Ministers or the Council must provide for such persons to be qualified teachers from the date of full registration as school teachers with the General Teaching Council for Scotland.

(8) In the case of persons mentioned in paragraph 7 of Schedule 2, the Welsh Ministers or the Council must provide for such persons to be qualified teachers from the date of registration as school teachers with the General Teaching Council for Northern Ireland.

(9) In the case of persons mentioned in paragraphs 8 to 10 of Schedule 2, the Welsh Ministers or the Council must not provide for such persons to be qualified teachers from a date prior to the date on which they completed the period of service as teachers licensed by the States of Guernsey Education Department as specified in the statement of the States of Guernsey Education Department.

Commencement Information

16 Reg. 6 in force at 1.4.2012, see [reg. 1](#)

Accredited Institutions

^{F47}

F4 [Reg. 7](#) revoked (10.3.2017) by [The Education Workforce Council \(Accreditation of Initial Teacher Training\) \(Wales\) Regulations 2017 \(S.I. 2017/165\)](#), regs. 1(2), **3(1)** (with [reg. 3\(2\)-\(4\)](#))

Employment-based teacher training scheme

8.—(1) The Welsh Ministers may establish a scheme whereby persons who are or who have been employed in a school or other educational institution (except a pupil referral unit(**16**)) may become qualified teachers.

(2) A scheme established under paragraph (1) is to be known as an employment-based teacher training scheme.

(3) Such a scheme may make provision for the programme of training persons must undertake.

(4) Such a scheme may make provision for persons to be assessed by an accredited institution [^{F5}or the provider of an accredited course or programme of study] to determine whether they meet the specified standards without undertaking further training.

(16) Pupil referral units are established and maintained under section 19 of the Education Act 1996 (c. 56).

Status: Point in time view as at 01/12/2023.

Changes to legislation: There are currently no known outstanding effects for the The School Teachers' Qualifications (Wales) Regulations 2012. (See end of Document for details)

(5) Any person or body exercising a function by virtue of this regulation must have regard to any guidance given from time to time by the Welsh Ministers as to the exercise of that function.

F5 Words in [reg. 8\(4\)](#) inserted (10.3.2017) by [The Education Workforce Council \(Accreditation of Initial Teacher Training\) \(Wales\) Regulations 2017 \(S.I. 2017/165\)](#), [regs. 1\(2\), 16\(3\)](#)

Commencement Information

I7 Reg. 8 in force at 1.4.2012, see [reg. 1](#)

Consequential Amendments

9. In regulations 11, 12 and 13(1) of the 1999 Regulations, for “a qualified teacher in accordance with regulation 5 of the Education (School Teachers' Qualifications) (Wales) Regulations 2004” substitute “a qualified teacher in accordance with regulation 5 of the School Teachers' Qualifications (Wales) Regulations 2012”.

Commencement Information

I8 Reg. 9 in force at 1.4.2012, see [reg. 1](#)

^{F6}**10.**

F6 [Reg. 10](#) revoked (1.4.2015) by [The Education \(Induction Arrangements for School Teachers\) \(Wales\) Regulations 2015 \(S.I. 2015/484\)](#), [reg. 1\(1\), Sch. 1](#)

11. In the Further Education Teachers' Qualifications (Wales) Regulations 2002(**17**)—

(a) in regulation 2—

- (i) omit the definition of “school teachers' qualification” (“*cymhwyster athrawon ysgol*”);
- (ii) in the appropriate place, insert ““the 2012 Regulations” (“*Rheoliadau 2012*”) means the School Teachers' Qualifications (Wales) Regulations 2012”; and

(b) in each of paragraphs (2), (3) and (4) of regulation 3—

- (i) after “(if it occurs),” insert “either be a qualified teacher by virtue of regulation 5 of the 2012 Regulations or”;
- (ii) omit sub-paragraph (a).

Commencement Information

I9 Reg. 11 in force at 1.4.2012, see [reg. 1](#)

Leighton Andrews
Minister for Education and Skills, one of the
Welsh Ministers

(17) S.I. 2002/1663 (W.158), amended by S.I. 2003/1717 (W.184), 2004/1745 (W.184) and 2010/1142 (W.101).

SCHEDULE 1

Regulation 4

Saving and Transitional Provisions

Accreditation of institutions providing initial teacher training

1. Any accreditation given for the purposes of or having effect as if given for the purposes of regulation 7 of the 2004 Regulations and in force immediately before the coming into force of these Regulations is to have effect as if given for the purposes of regulation 7 of these Regulations.

Commencement Information

I10 Sch. 1 para. 1 in force at 1.4.2012, see [reg. 1](#)

Persons who commenced a course of initial teacher training in Wales prior to 1 September 2008

2. Paragraph 1(c) of Schedule 2 does not apply in the case of persons who commenced a course of initial teacher training in Wales prior to 1 September 2008 and had not been notified in writing that they were qualified teachers under regulation 6 of the 2004 Regulations on or before 31 March 2012.

Commencement Information

I11 Sch. 1 para. 2 in force at 1.4.2012, see [reg. 1](#)

The employment based teacher training schemes made under the 2004 Regulations

3. Subject to the transitional provisions set out in the 2011 Scheme, the 2006 Scheme is to continue in force until 1 September 2012.

Commencement Information

I12 Sch. 1 para. 3 in force at 1.4.2012, see [reg. 1](#)

4. Where a person successfully completes a period of training on the 2006 Scheme or otherwise satisfies the requirements of that scheme, paragraph 2 of Schedule 2 is to be read as if after “accredited institution” the words “or by a person approved by the Welsh Ministers as competent to assess a trainee teacher’s competence against the specified standards in accordance with that scheme” were inserted.

Commencement Information

I13 Sch. 1 para. 4 in force at 1.4.2012, see [reg. 1](#)

5. The 2011 Scheme, which is to apply in relation to programmes of training commencing on or after 1 September 2012 is to continue in force until such time as a scheme is established by the Welsh Ministers under regulation 8 of these Regulations or until revoked by the Welsh Ministers, whichever occurs first.

Status: Point in time view as at 01/12/2023.

Changes to legislation: There are currently no known outstanding effects for the The School Teachers' Qualifications (Wales) Regulations 2012. (See end of Document for details)

Commencement Information

I14 Sch. 1 para. 5 in force at 1.4.2012, see [reg. 1](#)

Commencement Information

I12 Sch. 1 para. 3 in force at 1.4.2012, see [reg. 1](#)

I13 Sch. 1 para. 4 in force at 1.4.2012, see [reg. 1](#)

I14 Sch. 1 para. 5 in force at 1.4.2012, see [reg. 1](#)

SCHEDULE 2

Regulations 5 and 6

Qualified Teacher Status Requirements

1. Persons who—

- (a) hold a first degree or equivalent qualification awarded by a United Kingdom institution or an equivalent degree or other qualification awarded by a foreign institution;
- (b) have successfully completed a course of initial teacher training at an accredited institution [^{F7}or successfully completed an accredited course or programme of study] in Wales;
- (c) have undertaken a period of practical teaching experience for the purposes of that course of initial teacher training—
 - [^{F8}(i) wholly or mainly in a school or other educational institution (except a pupil referral unit) in Wales—
 - (aa) at which the National Curriculum for Wales is, or was, taught in relation to the foundation phase, or the second, third or fourth key stages, as is appropriate to the school or institution,
 - (bb) where the Curriculum for Wales is taught in relation to the nursery year to year 11, or
 - (cc) where the period of training undertaken by the person has included both teaching under the National Curriculum for Wales and under the Curriculum for Wales);]
 - (ii) where the practical teaching experience at the school or institution referred to in paragraph (i) corresponds with and is appropriate to that course of initial teacher training; and
- (d) are assessed by the accredited institution [^{F9}or the provider of an accredited course or programme of study] as meeting the specified standards.

F7 Words in Sch. 2 para. 1(b) inserted (10.3.2017) by The Education Workforce Council (Accreditation of Initial Teacher Training) (Wales) Regulations 2017 (S.I. 2017/165), regs. 1(2), **16(4)(a)**

F8 Sch. 2 para. 1(c)(i) substituted (1.9.2022) by The Curriculum and Assessment (Wales) Act 2021 (Consequential Amendments) (Secondary Legislation) (No. 2) Regulations 2022 (S.I. 2022/679), regs. 1(3), **10(2)(b)**

F9 Words in Sch. 2 para. 1(d) inserted (10.3.2017) by The Education Workforce Council (Accreditation of Initial Teacher Training) (Wales) Regulations 2017 (S.I. 2017/165), regs. 1(2), **16(4)(b)**

Commencement Information

I15 Sch. 2 para. 1 in force at 1.4.2012, see [reg. 1](#)

2. Persons who—

- (a) have successfully completed a period of training on an employment-based teacher training scheme or otherwise satisfied the requirements of the scheme; and
- (b) are assessed as meeting the specified standards by an accredited institution [^{F10}or the provider of an accredited course or programme of study].

F10 Words in [Sch. 2 para. 2\(b\)](#) inserted (10.3.2017) by [The Education Workforce Council \(Accreditation of Initial Teacher Training\) \(Wales\) Regulations 2017 \(S.I. 2017/165\)](#), regs. 1(2), **16(4)(c)**

Commencement Information

I16 Sch. 2 para. 2 in force at 1.4.2012, see [reg. 1](#)

3. Persons who satisfied the requirements for receiving written notification that they were qualified teachers under the 1982 Regulations, the 1989 Regulations, the 1993 Regulations, the 1999 Regulations or the 2004 Regulations, and the only reason why they are not qualified teachers is that they did not receive such notification.

Commencement Information

I17 Sch. 2 para. 3 in force at 1.4.2012, see [reg. 1](#)

[^{F11}4.—(1) Persons who as respects the profession of school teacher are, entitled to practice pursuant to the 2007 Regulations or the 2015 European Union Regulations, including pursuant to —

- (a) a decision taken or right accrued under the 2007 Regulations or the 2015 European Union Regulations before exit day in accordance with paragraph 40 of Schedule 1 to the Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019;
- (b) a decision taken or determination made under the 2015 European Union Regulations in accordance with paragraph 44 of Schedule 1 to the Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019; ^{F12}...
- (c) a decision taken or determination made under the 2007 Regulations in accordance with paragraph 50 or paragraph 51 of Schedule 1 to the Recognition of Professional Qualifications (Amendment etc.) (EU Exit) Regulations 2019 [^{F13}; or]
- [^{F14}(d) a decision taken or determination made under the 2015 European Union Regulations in accordance with paragraphs 1, 2(2) and (3) of Schedule 1 to the Professional Qualifications Act 2022 (Commencement No. 3) Regulations 2023.]

(2) In this paragraph—

“the 2007 Regulations” (“*Rheoliadau 2007*”) means the European Communities (Recognition of Professional Qualifications) Regulations 2007;

“the 2015 European Union Regulations” (“*Rheoliadau'r Undeb Ewropeaidd 2015*”) means the European Union (Recognition of Professional Qualifications) Regulations 2015.]

F11 [Sch. 2 para. 4](#) substituted (31.12.2020) by [The Teachers' Qualifications \(Amendment\) \(Wales\) \(EU Exit\) Regulations 2019 \(S.I. 2019/444\)](#), regs. 1(2), **3(2)** (as amended by [S.I. 2020/1246](#), regs. 1(2), **2(1)**); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Status: Point in time view as at 01/12/2023.

Changes to legislation: There are currently no known outstanding effects for the The School Teachers' Qualifications (Wales) Regulations 2012. (See end of Document for details)

- F12** Word in Sch. 2 para. 4(1)(b) omitted (1.12.2023) by virtue of The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Wales) (Amendment etc.) Regulations 2023 (S.I. 2023/1294), reg. 1, **Sch. 4 para. 1(2)(a)**
- F13** Word in Sch. 2 para. 4(1)(c) substituted for full stop (1.12.2023) by The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Wales) (Amendment etc.) Regulations 2023 (S.I. 2023/1294), reg. 1, **Sch. 4 para. 1(2)(b)**
- F14** Sch. 2 para. 4(1)(d) inserted (1.12.2023) by The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Wales) (Amendment etc.) Regulations 2023 (S.I. 2023/1294), reg. 1, **Sch. 4 para. 1(2)(c)**

[^{F15}**4A.**—(1) Subject to sub-paragraphs (2) and (3), persons who are not mentioned in any other paragraph of this Schedule and who possess formal professional qualifications or training that allow them to access or pursue the profession of a school teacher in a school that is wholly or mainly government funded in the state in which the qualification was awarded or where the training was undertaken.

(2) The professional qualifications or training mentioned in sub-paragraph (1) are not, in the opinion of the Welsh Ministers, substantially different to the specific professional qualifications or training required to access or pursue the profession of school teacher in Wales.

(3) Persons are not the subject of any decision of, or proceedings before, a body, which restricts or may restrict a person's ability to teach in any state or who have been otherwise barred from accessing or pursuing the profession of school teacher.]

- F15** Sch. 2 para. 4A inserted (31.12.2020) by The Teachers' Qualifications (Amendment) (Wales) (EU Exit) Regulations 2019 (S.I. 2019/444), regs. 1(2), **3(3)**; 2020 c. 1, Sch. 5 para. 1(1)

[^{F16}**4B.** Persons who are, as respects the profession of school teacher, entitled to practise pursuant to the Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Wales) (Amendment etc.) Regulations 2023.]

- F16** Sch. 2 para. 4B inserted (1.12.2023) by The Recognition of Professional Qualifications and Implementation of International Recognition Agreements (Wales) (Amendment etc.) Regulations 2023 (S.I. 2023/1294), reg. 1, **Sch. 3 para. 1(2)**

5. Persons who have successfully completed a course of initial school teacher training at an educational institution in Scotland or Northern Ireland.

Commencement Information

- I18** Sch. 2 para. 5 in force at 1.4.2012, see **reg. 1**

6. Persons who have full registration as teachers of primary or secondary education with the General Teaching Council for Scotland.

Commencement Information

- I19** Sch. 2 para. 6 in force at 1.4.2012, see **reg. 1**

7. Persons who—

- (a) are registered as a qualified teacher with the General Teaching Council for Northern Ireland; and
- (b) have undertaken a period of practical teaching experience of at least sixty days in aggregate at an educational institution in Northern Ireland.

Commencement Information

I20 Sch. 2 para. 7 in force at 1.4.2012, see [reg. 1](#)

8. Persons who have as a teacher licensed by the States of Guernsey Education Department successfully completed two school years' full-time service, or an equivalent period if served part-time, and the training specified in the licence.

Commencement Information

I21 Sch. 2 para. 8 in force at 1.4.2012, see [reg. 1](#)

9. Persons who—

- (a) have successfully completed not less than one school year's service as a teacher licensed by the States of Guernsey Education Department and the training specified in the licence; and
 - (b) before the date of commencement of the licence, had been employed for not less than two years as—
 - (i) a teacher or lecturer at an independent school (including a city college or academy) or an institution or a university in the United Kingdom;
 - (ii) instructors or education officers in the Armed Forces of the Crown;
 - (iii) instructors under—
 - (aa) paragraph 3 of Schedule 2 to the 1993 Regulations;
 - (bb) paragraph 3 of Schedule 2 to the Education (Teachers' Qualifications and Health Standards) (England) Regulations 1999⁽¹⁸⁾;
 - (cc) paragraph 3 of Schedule 2 to the 1999 Regulations;
 - (dd) paragraph 4 of Schedule 2 to the Education (Specified Work and Registration) (England) Regulations 2003⁽¹⁹⁾; or
 - (ee) paragraph 3 of Schedule 2 to the Education (Specified Work and Registration) (Wales) Regulations 2004⁽²⁰⁾; or
 - (iv) a person with special qualifications or special experience under paragraph 3 of Schedule 2 to the Education (Specified Work and Registration) (Wales) Regulations 2010⁽²¹⁾,
- and were not dismissed on grounds other than redundancy.

Commencement Information

I22 Sch. 2 para. 9 in force at 1.4.2012, see [reg. 1](#)

⁽¹⁸⁾ S.I. 1999/2166, amended by S.I. 2000/2704, 2001/1391, 2001/2896, 2001/3737, 2002/1434 and 2003/107. S.I. 1999/2166 was partially revoked by S.I. 2003/1662 with the remaining provisions being revoked by S.I. 2003/3139.

⁽¹⁹⁾ S.I. 2003/1663, amended by the Education Act 2005 (c. 18), section 74 and S.I. 2007/2771, 2008/1883 and 2010/1172.

⁽²⁰⁾ S.I. 2004/1744 (W.183).

⁽²¹⁾ S.I. 2010/2710 (W.227).

Status: Point in time view as at 01/12/2023.

Changes to legislation: There are currently no known outstanding effects for the The School Teachers' Qualifications (Wales) Regulations 2012. (See end of Document for details)

10. Persons who—

- (a) have successfully completed not less than one school term's service as a teacher licensed by the States of Guernsey Education Department and the training proposed in the recommendation for a licence;
- (b) had, before the date of commencement of the licence, successfully completed either—
 - (i) a course of at least three years' duration of initial school teacher training at an educational institution outside Wales and England; or
 - (ii) a first degree course and a post-graduate course of initial school teacher training at such an institution (whether or not the same institution); and
- (c) had been employed for not less than one year as a teacher or lecturer in a school, independent school (including city college or academy), institution or university or other educational institution either in Wales or England or elsewhere and were not dismissed on grounds other than redundancy.

Commencement Information

I23 Sch. 2 para. 10 in force at 1.4.2012, see [reg. 1](#)

11. Persons who—

- (a) hold a first degree or equivalent qualification awarded by a United Kingdom institution or an equivalent degree or other qualification awarded by a foreign institution;
- (b) have successfully completed a course of initial teacher training at an accredited institution in England;
- (c) have undertaken a period of practical teaching experience for the purposes of that course of initial teacher training wholly or mainly in a school, city college, academy, independent school or other institution (except a pupil referral unit) in England, or in a school administered by Service Children's Education⁽²²⁾;
- (d) are assessed by the institution in sub-paragraph (b) as meeting the specified standards in England; and
- (e) are qualified teachers by virtue of regulations made in relation to England under section 132 of the Education Act 2002.

Commencement Information

I24 Sch. 2 para. 11 in force at 1.4.2012, see [reg. 1](#)

12. Persons who—

- (a) hold a first degree or equivalent qualification awarded by a United Kingdom institution or an equivalent degree or other qualification awarded by a foreign institution;
- (b) are assessed by an accredited institution in England as meeting such criteria as may from time to time be specified by the Secretary of State;
- (c) have undertaken a period of practical teaching experience such that the person is assessed by the institution in sub-paragraph (b) as meeting the specified standards in England; and
- (d) are qualified teachers by virtue of regulations made in relation to England under section 132 of the Education Act 2002.

⁽²²⁾ Service Children's Education is an agency of the Ministry of Defence.

Commencement Information

I25 Sch. 2 para. 12 in force at 1.4.2012, see [reg. 1](#)

13. Persons who—

- (a) have successfully completed a period of training on an employment-based teacher training scheme in England;
- (b) are assessed as meeting the specified standards in England; and
- (c) are qualified teachers by virtue of regulations made in relation to England under section 132 of the Education Act 2002.

Commencement Information

I26 Sch. 2 para. 13 in force at 1.4.2012, see [reg. 1](#)

14. Persons who are qualified teachers by virtue of regulation 5 of the 2004 Regulations.

Commencement Information

I27 Sch. 2 para. 14 in force at 1.4.2012, see [reg. 1](#)

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and re-enact provisions of the Education (School Teachers' Qualifications) (Wales) Regulations 2004 (“the 2004 Regulations”), with some revised provisions in Schedule 2 and some updating and minor drafting changes generally. These Regulations also make saving and transitional provisions and consequential amendments.

Obsolete provisions in the 2004 Regulations have not been re-enacted.

Regulation 4 revokes the 2004 Regulations and makes the saving and transitional provisions set out in Schedule 1.

Regulation 5 and Schedule 2 specify the requirements to be met before persons are qualified teachers in Wales and thus accorded qualified teacher status.

Regulation 6 provides that the Welsh Ministers or the General Teaching Council for Wales are to notify certain persons who meet the requirements in Schedule 2 that they are qualified teachers and sets out the date from which such notification takes effect.

Regulation 7 enables the Higher Education Funding Council for Wales to accredit institutions which provide courses of initial school teacher training and satisfy criteria specified by the Welsh Ministers.

Regulation 8 allows the Welsh Ministers to establish an employment based teacher training scheme which enables persons to train to become teachers whilst employed. Under the scheme, persons may be assessed by accredited institutions to determine whether they meet the specified standards

Status: Point in time view as at 01/12/2023.

Changes to legislation: There are currently no known outstanding effects for the The School Teachers' Qualifications (Wales) Regulations 2012. (See end of Document for details)

without further training. Guidance on the scheme may be issued by the Welsh Ministers, to which persons exercising functions under the scheme must have regard. Saving provisions in Schedule 1 provide for the employment based teacher training schemes established under the 2004 Regulations to continue despite the revocation of the 2004 Regulations.

Regulations 9 to 11 make consequential amendments to other regulations inserting references to these Regulations, in some cases in substitution for references to the 2004 Regulations. Regulation 10 also amends the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2005 to provide that certain assessments may be carried out by accredited institutions.

Status:

Point in time view as at 01/12/2023.

Changes to legislation:

There are currently no known outstanding effects for the The School Teachers' Qualifications (Wales) Regulations 2012.