



Standards in Scotland's Schools etc. Act 2000

2000 asp 6

The General Teaching Council

45 Functions of the Council

(1) In section 1 of the 1965 Act (which makes provision for the establishment of the General Teaching Council for Scotland)—

(a) after subsection (2) there shall be inserted—

“(2A) The principal aims of the Council in exercising their functions shall be—

- (a) to contribute to improving the quality of teaching and learning; and
- (b) to maintain and improve teachers' standards of professional competence.”;

and

(b) after subsection (3) there shall be added—

“(4) In exercising their functions the Council shall have regard to the interests of the public.”.

(2) In section 2(3) of that Act (which imposes on the Council the duty of considering certain matters relating to the education, training and fitness to teach of teachers and of making recommendations), after the word “training” there shall be inserted “, career development”.

(3) After section 4 of that Act there shall be inserted—

“4A Additional functions

(1) The Scottish Ministers may by order confer or impose on the Council such additional functions as the Scottish Ministers consider it would be appropriate for the Council to discharge in connection with any of the Council's functions under this Act.

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- (2) Before making an order under subsection (1) above, the Scottish Ministers shall—
- (a) consult the Council; and
 - (b) carry out such other consultation as appears to them to be appropriate.”.
- (4) After section 5 of that Act there shall be inserted—

“5A General advice and publication of advice and recommendations

The Council may give advice of a general nature, on any matter relevant to their functions (whether or not it is a matter as respects which they may make recommendations under any other provision of this Act), to any person or body; and they may publish any such advice or recommendations.

5B Supply of information relating to teachers

- (1) The Council shall supply to the General Teaching Council for England and the General Teaching Council for Wales such information as it is necessary or desirable for the Council in question to have for the purpose of carrying out any of the functions conferred on them by or under the Teaching and Higher Education Act 1998 (c.30).
- (2) Once the General Teaching Council for Northern Ireland is established, subsection (1) above shall apply in relation to that Council and to the functions conferred on them by or under the Education (Northern Ireland) Order 1998 (S.I. 1998/1759 (N.I. 13)) as that subsection applies in relation to, and to the functions of, the General Teaching Council for England and the General Teaching Council for Wales.
- (3) Subsections (1) and (2) above do not limit the circumstances in which information may be supplied other than by virtue of this section and are without prejudice to section 9A of this Act.”.

46 Constitution of the Council

- (1) Part I of Schedule 1 to the 1965 Act (which relates to the constitution of the Council) shall be amended in accordance with the following subsections.
- (2) In paragraph 1—
 - (a) in sub-paragraph (1)—
 - (i) in head (a), for the word “30” there shall be substituted “ twenty-six ”;
 - (ii) in head (b), for the word “15” there shall be substituted “ eighteen ” and for sub-heads (iv) to (viii) there shall be substituted—
 - “(iv) one by the boards of management of colleges of further education;
 - (v) one by the Scottish Council of Independent Schools;
 - (vi) four by the governing bodies of relevant institutions;

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- (vii) three by the universities of Scotland and by the governing bodies of other institutions in the higher education sector (other than relevant institutions);
- (viii) one by the Education Committee of the General Assembly of the Church of Scotland;
- (ix) one by the Scottish Hierarchy of the Roman Catholic Church; and
- (x) one by the Association of Directors of Social Work in Scotland;”;

and

(iii) for head (c) there shall be substituted—

“(c) six persons (in this Schedule referred to as “nominated members”) nominated by the Scottish Ministers.”;

(b) for sub-paragraph (2) there shall be substituted—

“(2) The twenty-six elected members shall be registered teachers and shall comprise—

- (a) four employed as headteachers in primary schools or nursery schools;
- (b) seven employed in primary schools or nursery schools other than as headteachers;
- (c) three employed as headteachers in secondary schools;
- (d) eight employed in secondary schools other than as headteachers;
- (e) one employed as a teacher of pre-school children elsewhere than in a primary school or nursery school (“pre-school children” having the meaning given by section 58(1) of the Standards in Scotland’s Schools etc. Act 2000 (asp 6));
- (f) two employed in further education centres; and
- (g) one employed in a relevant institution.”;

(c) in sub-paragraph (3)—

(i) for the words “the central institutions” there shall be substituted “relevant institutions ”; and

(ii) for head (a) there shall be substituted—

“(a) a reference to a person “employed” is to a person who, as at such date as may be prescribed by the Council in the scheme made under sub-paragraph (6) below, is employed full-time in the position in question or who, in the period of twelve months which ends with that date, has been employed in that position for not less than one-fifth of the hours which would have fallen to be worked had the employment been full-time;”;

(d) sub-paragraph (4) is repealed;

(e) in sub-paragraph (5)—

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- (i) the words “other than principals of relevant institutions” are repealed; and
 - (ii) for the words “the next following sub-paragraph” there shall be substituted “ this paragraph ”;
 - (f) in sub-paragraph (6), in head (b), after the words “making up” there shall be inserted “, subject to sub-paragraph (6A) below, ”;
 - (g) after sub-paragraph (6) there shall be inserted—
 - “(6A) The roll of electors made up as provided for in a scheme made under this paragraph shall show that, in respect of the category of elected members which comprises persons employed as is mentioned in—
 - (a) head (a) of sub-paragraph (2) above, only persons so employed;
 - (b) head (c) of that sub-paragraph, only persons so employed, are entitled to vote.”;
 - (h) in sub-paragraph (7), for the words “the last foregoing sub-paragraph” and “that sub-paragraph” there shall in each case be substituted “ this paragraph ”; and
 - (i) for sub-paragraph (9) there shall be substituted—
 - “(9) In nominating members of the Council under sub-paragraph (1)(c) above, the Scottish Ministers shall—
 - (a) ensure that at least one nominee represents the interests of parents of pupils;
 - (b) ensure that at least one nominee is engaged in, or represents the interests of persons engaged in, commerce or industry;
 - (c) ensure that at least one nominee is engaged in, or represents the interests of persons engaged in, the teaching of children or young persons with special educational needs (as defined in section 1(5)(d) of the Education (Scotland) Act 1980 (c.44)); and
 - (d) have regard to the desirability of the membership of the Council reflecting the interests of the public.”.
- (3) Paragraph 3 is repealed.
- (4) In paragraph 4—
- (a) in sub-paragraph (2), for head (d) there shall be substituted—
 - “(d) where, being an elected member—
 - (i) employed otherwise than as mentioned in head (e) of paragraph 2(2) above, he ceases to be employed in the category of educational establishment in respect of which he was elected; or
 - (ii) employed as mentioned in that head, he ceases to be so employed; or
 - (e) where, being an elected member who is employed part-time, he has, as at any anniversary of his election, not been employed as a teacher, in the period of twelve months which ends with that anniversary, for one-fifth of, or more than one-fifth of, the hours which would have fallen to be worked had the employment been full-time,”;

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and

(b) after that sub-paragraph there shall be added—

“(2A) For the purposes of sub-paragraph (2)(e) above, an elected member who is employed part-time shall in each year, on or immediately before the anniversary of his election, provide the Council with evidence, in such form as they may require, as to the hours which he has worked during the period mentioned in that sub-paragraph.”

(5) For paragraph 5A there shall be substituted—

“5A

A person holding office as a member of the Council on the date on which section 46 of the Standards in Scotland's Schools etc. Act 2000 (asp 6) comes into force shall go out of office on such date as the Scottish Ministers may, after consultation with the Council, determine; but that date shall not be later than 31st October, 2001.”

(6) In the proviso to paragraph 6(1), the words “(other than principals of relevant institutions)” are repealed.

(7) Paragraph 6A is repealed.

Commencement Information

- II** S. 46 partly in force; s. 46 not in force at Royal Assent see s. 61(2); s. 46(3)(5) wholly in force and s. 46(1)(2) in force for specified purposes at 13.10.2000 by S.S.I. 2000/361, art. 3(1), **Sch. Pt. I** (subject to transitional provisions in art. 4); s. 46 in force for all other purposes at 1.11.2001 by S.S.I. 2000/361, art. 3(2), **Sch. Pt. II** (subject to transitional provisions in art. 4)

47 Further provision as to keeping of register of teachers

(1) After section 6 of the 1965 Act there shall be inserted—

“6A Further provision as to keeping of register

(1) After consultation with the Council, the Scottish Ministers may, by statutory instrument subject to annulment in pursuance of a resolution of the Scottish Parliament, make regulations requiring rules under section 6(4) of this Act—

- (a) to make such provision as to the form and manner in which the register is to be kept as shall be specified in the regulations; and
(b) to prescribe matters (being matters specified in the regulations) which are to be recorded in the register.

(2) The Council shall, within one month after any regulations made under subsection (1) above come into force, make and publish such rules, revocations or amendments as the regulations make requisite.”

(2) In the said section 6—

(a) in subsection (4), for paragraph (c) there shall be substituted—

“(c) provide for the removal of a name from the register on a failure—

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- (i) to pay a prescribed fee and for its re-registration in the register on the making of the prescribed application in that behalf and on payment of that fee and any additional fee;
- (ii) to supply information, or details of a change in information, within such reasonable period as may be intimated to the person by the Council provided that such intimation was given after the person had already failed to supply timeously, under subsection (5C) below, the information or details and for its re-registration in the register on the making of the prescribed application in that behalf, the supplying of the information or details and the payment of a fee,

prescribed in respect of the re-registration;”;

and

- (b) after subsection (5B) there shall be inserted—

“(5C) A person whose name is contained in the register shall, within such period as may be prescribed, supply the Council with—

- (a) details of any change in the information recorded against that name in the register if it is a change of such kind as may be prescribed;
- (b) such information as may be prescribed, being information of a kind not already so recorded.”.

48 Provision of information by Council

After section 9 of the 1965 Act there shall be inserted—

“9A Provision of information contained in register

The Council shall, after consultation with the Scottish Ministers, with the education authorities and with such bodies as appear to the Council to represent other employers of registered teachers, make rules with respect to there being made available for inspection (by such means, in such form and within such time as may be prescribed in the rules) information contained in the register; and such rules may make—

- (a) provision as to the circumstances and form in which and the conditions subject to which that information may be made so available; and
- (b) different provision for different classes of information, for different classes of person to whom information is made so available and for different classes of case.”.

49 Provision of information to Council

After section 9A of the 1965 Act (which is inserted in that Act by section 48 of this Act) there shall be inserted—

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“9B Notification of dismissal etc. to Council

The employer of a registered teacher shall—

- (a) on dismissing the teacher on grounds of—
 - (i) misconduct; or
 - (ii) incompetence;
- (b) on the teacher resigning, or abandoning his position, in circumstances where, but for the resignation or abandonment—
 - (i) he would have been dismissed on grounds of misconduct; or
 - (ii) his dismissal on grounds of misconduct would have been considered by the employer; or
- (c) on the teacher resigning, or abandoning his position, after being informed by the employer that a disciplinary hearing is to be held by the employer as respects the teacher's alleged incompetence,

forthwith notify the Council of the dismissal, resignation or abandonment; and the employer shall in so doing provide the Council with an account of the circumstances which led to the dismissal or which were present when the resignation or abandonment took place.

9C Provision of other information to Council by employer

The employer of a registered teacher shall, when requested to do so by the Council, provide the Council with such information as respects that teacher as the Council may reasonably require in connection with the exercise of the functions assigned to them under this Act.”.

Commencement Information

- I2** S. 49 in force for specified purposes at 13.10.2000 by [S.S.I. 2000/361](#), art. 3(1), [Sch. Pt. I](#) (subject to transitional provisions in [art. 4](#))

VALID FROM 01/11/2000

50 Professional Conduct Committee and Investigating and Disciplinary Sub-committees

For sections 10 and 11 of the 1965 Act there shall be substituted—

“10 Constitution of Professional Conduct Committee and Investigating and Disciplinary Sub-committees

- (1) The Council shall set up from their own number a committee, to be known as the Professional Conduct Committee; and that committee shall have two sub-committees, to be known respectively as the Investigating Sub-committee and the Disciplinary Sub-committee.

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- (2) The members of either sub-committee may include persons who, though members of the Council, are not members of the Professional Conduct Committee.
- (3) A majority of the members of the Council appointed to—
 - (a) the Professional Conduct Committee;
 - (b) each of the sub-committees, shall be registered teachers.
- (4) No member of the Council shall be a member of both sub-committees in their consideration of any one case.
- (5) The Council shall make rules regulating—
 - (a) subject to the provisions of this section, the membership of the committee and of each of the sub-committees; and
 - (b) the times and places of meetings, the quorum and the method of summoning the members of the Disciplinary Sub-committee.
- (6) The provisions of Schedule 2 to this Act shall have effect with regard to the procedure of the Disciplinary Sub-committee.

10A The Professional Conduct Committee

- (1) Without prejudice to subsections (2) and (3) below, the Professional Conduct Committee shall have the functions of—
 - (a) formulating and keeping under review the policy of the Council as respects the professional conduct of teachers; and
 - (b) overseeing the actings of its own sub-committees.
- (2) Where the Professional Conduct Committee has been notified by—
 - (a) a person's employer (or former employer if the person is for the time being unemployed); or
 - (b) the Scottish Ministers,
 that the person has an illness or some other medical condition and after due inquiry the committee is satisfied that that is so and that the nature of the illness, or condition, and its effect on the person are such as to warrant a direction that the person's name be removed from the register, the committee may so direct.
- (3) The Professional Conduct Committee shall be charged with the duty of considering and determining any application for re-registration of a name in the register where the name was removed by virtue of subsection (2) above.
- (4) Schedule 2 to this Act shall apply in relation to proceedings under subsection (2) above before the Professional Conduct Committee as it applies in relation to any proceedings before the Disciplinary Sub-committee; except that in so applying paragraph 2 of that Schedule that paragraph shall be modified as follows—
 - (a) in sub-paragraph (1)—
 - (i) in head (a), the words "under section 10B(2) of this Act" shall be disregarded; and
 - (ii) head (g) shall be disregarded; and
 - (b) in sub-paragraph (2), heads (b) and (c) shall be disregarded,

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and such rules as are, for the purposes of that application, made under the said paragraph 2 shall include rules relating to any need for the person to submit himself for examination by an appropriately qualified practitioner appointed by the committee and permitting the attendance at any such examination of a qualified medical practitioner appointed for that purpose by the person.

- (5) When the Professional Conduct Committee directs—
- (a) that a person's name be removed from the register; or
 - (b) that an application for re-registration be refused,
- the committee shall serve on the person notice of the direction; and any such notice shall include a statement of the reasons for the direction.

10B The Investigating Sub-committee

- (1) The Investigating Sub-committee shall be charged with the duty of conducting a preliminary investigation into any case where it appears—
- (a) that a registered person may be liable, under or by virtue of any of the provisions of this Act (other than section 10A(2)), to have his name removed from the register; or
 - (b) that a person who—
 - (i) has been duly recommended for registration;
 - (ii) fulfils requirements prescribed under paragraph (ba) of subsection (2) of section 6 of this Act; or
 - (iii) in the opinion of the Council is a person whose registration is warranted in terms of paragraph (c) of that subsection,and has applied to be registered may have been convicted of a relevant offence or may otherwise have been guilty of relevant misconduct (irrespective of whether the offence or misconduct took place in Scotland).
- (2) If, after fulfilling its duty under subsection (1) above, the Investigating Sub-committee considers it just to do so it shall refer the case to the Disciplinary Sub-committee.
- (3) In subsection (1)(b) above—
- “relevant misconduct” means conduct which falls short of the standard expected of a registered teacher; and
 - “relevant offence” means an offence other than one having no material relevance to the fitness of the perpetrator to be a registered teacher.

10C The Disciplinary Sub-committee

- (1) The Disciplinary Sub-committee shall be charged with the duty of considering and determining—
- (a) any case referred to it by the Investigating Sub-committee;
 - (b) any application for re-registration of a name in the register;
 - (c) any second or subsequent application for registration by a person whose original application has been refused in pursuance of its direction under section 11(8) of this Act; and

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(d) any application for registration by any person who has been a certificated teacher but whose certificate has been withdrawn on the ground of misconduct, or suspended on that ground, and not restored under any enactment in force before the commencement of this Act.

(2) Subsection (1)(b) above does not apply in respect of—

- (a) an application made by virtue of section 6(4)(c) of this Act; or
- (b) a name removed by virtue of section 10A(2) of this Act.

11 Decisions of the Disciplinary Sub-committee

(1) Where a registered person—

- (a) has been convicted (whether in Scotland or elsewhere and irrespective of whether the person was a registered person at the time of conviction) of a relevant offence; or
- (b) is judged by the Disciplinary Sub-committee to have been guilty of relevant misconduct,

or where the Disciplinary Sub-committee is satisfied that the name of such a person has been registered in error in consequence of any false or fraudulent declaration or representation then the sub-committee may, if it thinks fit, direct that—

- (i) the person's name be removed from the register;
- (ii) the person shall be subject to a conditional registration order; or
- (iii) a reprimand shall be recorded against the person's name in the register.

(2) Where a registered person of whom the Council have received notification under section 9B(a)(ii) or (c) of this Act is judged by the Disciplinary Sub-committee to have been guilty of serious professional incompetence and the Sub-committee is satisfied that the nature of the incompetence is such as to warrant the removal of that person's name from the register, the Sub-committee may direct that it be removed accordingly.

(3) In subsection (1)(ii) above, the reference to a conditional registration order is to an order of the Disciplinary Sub-committee that the person shall continue to be eligible for registration under section 6(2) of this Act but, for such period as may be specified in the order or for an unlimited time, shall comply with such conditions as to employment as a teacher as may be so specified; and if there is a failure so to comply, the Disciplinary Sub-committee may direct that the person's name be removed from the register.

(4) A person in relation to whom a conditional registration order has been made may apply to the Professional Conduct Committee for variation or revocation of a condition specified in the order; and the committee shall, in determining that application, cause notice of its determination to be served on the person and in relation to any such application no person who was a member of the Disciplinary Sub-committee at the time the condition was imposed shall be entitled to take part in the proceedings of the Professional Conduct Committee.

(5) A notice under subsection (4) above shall include a statement of the sub-committee's reasons for its determination.

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- (6) Schedule 2 to this Act shall apply in relation to proceedings under subsection (4) above before the Professional Conduct Committee as it applies to any proceedings before the Disciplinary Sub-committee; except that in so applying paragraph 2 of that Schedule the provisions of that paragraph shall be modified as follows—
- (a) in sub-paragraph (1)—
 - (i) in head (a), the words “under section 10B(2) of this Act” shall be disregarded; and
 - (ii) head (g) shall be disregarded; and
 - (b) sub-paragraph (2) shall be disregarded.
- (7) Where, in the five years which immediately follow the recording, under subsection (1)(iii) above, of a reprimand against a person’s name no further direction is made under this section by the Disciplinary Sub-committee in respect of that person, the reprimand shall be removed from the register; but the sub-committee may have regard to any past reprimand in fulfilling its duty under section 10C(1) of this Act even though the reprimand has been so removed.
- (8) Where a person such as is mentioned in any of sub-paragraphs (i) to (iii) of section 10B(1)(b) of this Act has applied to be registered but is as described in paragraph (a) or (b) of subsection (1) above and, in the opinion of the sub-committee, is in consequence unfit to be registered, the sub-committee may direct that the person’s application be refused.
- (9) A person whose—
- (a) application for registration has been refused in compliance with a direction—
 - (i) given by virtue of a determination under section 10C(1)(d) of this Act; or
 - (ii) under subsection (8) above; or
 - (b) name is removed from the register in compliance with a direction under subsection (1)(i) or (2) above,
- shall not be entitled to be registered, or as the case may be re-registered, except in compliance with a direction of the Disciplinary Sub-committee.
- (10) The Disciplinary Sub-committee, in directing that a person’s application for registration, or re-registration, be refused or that a person’s name be removed from the register, may in the direction prohibit the person from applying or, as the case may be, applying again, for a direction under subsection (9) above until the expiration of such period, not exceeding twelve months from the date of the direction, as may be specified in the prohibition.
- (11) When the Disciplinary Sub-committee directs that a person’s application for registration or re-registration be refused, or that a person’s name be removed from the register, the sub-committee shall serve on the person notice of the direction; and any such notice shall include a statement of—
- (a) the facts found proven in the proceedings before the sub-committee; and
 - (b) the reasons for the direction.

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11A Temporary suspension

- (1) Where, as respects a registered person—
- (a) a preliminary investigation under section 10B(1) of this Act is pending, the Investigating Sub-committee; or
 - (b) proceedings under section 10C of this Act are pending, the Disciplinary Sub-committee,
- may, if it is satisfied that there is prima facie evidence of circumstances on the basis of which the person's name might come to be removed from the register, direct that, until the date on which the case is finally disposed of, the entry for the person's name shall be marked on the register as suspended; but if in determining the case the Disciplinary Sub-committee makes no direction for the removal of the name from the register, it shall direct that the suspension be cancelled and the mark on the register removed accordingly.
- (2) When the Investigating Sub-committee or the Disciplinary Sub-committee makes a direction under subsection (1) above, it shall serve notice of the direction—
- (a) on the person; and
 - (b) if the person is in employment as a teacher, on the employer.
- (3) Subsections (1) and (2) above shall apply in relation to proceedings under section 10A(2) of this Act and to the Professional Conduct Committee as they apply in relation to proceedings under section 10C of this Act and to the Disciplinary Sub-committee.

11B Notification to employer of outcome of disciplinary proceedings

When proceedings in a case such as is mentioned in section 10A(2) or 10C(1)(a) of this Act against a person employed as a teacher are finally disposed of, the Council shall forthwith advise the person's employers of the outcome of those proceedings.”

Commencement Information

- I3** S. 50 in force for specified purposes at 1.11.2001 by [S.S.I. 2000/361](#), [art. 3\(2\)](#), [Sch. Pt. II](#) (subject to transitional provisions in [art. 4](#))

51 Appeals

- (1) In section 12 of the 1965 Act (which makes provision as respects appeals), for subsection (1) there shall be substituted—

- “(1) Any—
- (a) such person as is mentioned in section 10A(2) or in paragraph (a) or (b) of section 11(9) of this Act;
 - (b) person whose application for re-registration has been refused in compliance with a direction under this Act; or

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- (c) person whose application for registration has been refused in compliance with a direction of the committee appointed under paragraph 16(1) of Part II of Schedule 1 to this Act,

may, within twenty-eight days after the service on him of notice of the direction in question, appeal against—

- (i) that direction; or
- (ii) in the case of a direction by the Disciplinary Sub-committee, any prohibition imposed by virtue of section 11(10) of this Act,

to the Court of Session in accordance with such rules as may be made by Act of Sederunt for the purposes of this subsection; and on any such appeal the Court may give such directions in the matter as it thinks proper, including directions as to the expenses of the appeal.

(1A) Any person—

- (a) in respect of whom a direction has been made by the Disciplinary Sub-committee, the Investigating Sub-committee or the Professional Conduct Committee and who does not have a right of appeal under subsection (1) above; or
- (b) whose application for variation or revocation of a condition specified in a conditional registration order has been refused by the Professional Conduct Committee,

may, within the prescribed number of days after the service on him of notice of the direction or refusal in question, require the Council to review the direction or refusal; and in relation to any such review no person who was a member of the Disciplinary Sub-committee, or as the case may be of the Investigating Sub-committee or the Professional Conduct Committee, at the time the direction, or the decision to refuse the application, was made shall be entitled to take part in the proceedings of the Council.”

- (2) In each of subsections (2) and (3) of that section, for the words “this section” there shall be substituted “ subsection (1) above ”; and for subsection (4) there shall be substituted—

“(4) No direction under section 10A(2), 11(1) or (2) or 11A(1) of this Act (or section 11A(1) as applied in relation to proceedings under section 10A(2) of this Act) shall take effect until—

- (a) where, in accordance with this section, the person concerned—
 - (i) appeals against the direction, the appeal has been withdrawn or dismissed; or
 - (ii) requires the Council to review the direction or refusal, the requirement has been withdrawn or the direction or refusal has been upheld; or
- (b) in any other case, the twenty-eight days mentioned in subsection (1), or as the case may be the prescribed number of days mentioned in subsection (1A), above have elapsed.

- (5) The Council shall make rules as respects the procedure to be followed and the rules of evidence to be observed in proceedings in any review required under subsection (1A) above; but such rules shall not come into force until approved by the Lord President of the Court of Session.

Status: Point in time view as at 13/10/2000. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Standards in Scotland's Schools etc. Act 2000, Cross Heading: The General Teaching Council. (See end of Document for details)

- (6) In subsection (1A) above, “the prescribed number of days” means such number of days as may be prescribed by the Council in rules made under this subsection; and different numbers may be so prescribed for different categories of review.
- (7) For the purposes of advising the Council on questions of law arising in proceedings in any review required under subsection (1A) above, there shall in all such proceedings be an assessor to the Council who shall be an advocate or solicitor of not less than ten years’ standing appointed by them; and sub-paragraph (2) of paragraph 3 of Schedule 2 to this Act shall apply in relation to such proceedings and to the Council as that sub-paragraph applies in relation to proceedings before the Disciplinary Sub-committee and to that sub-committee.
- (8) An assessor may be appointed under this section either generally or for any particular proceedings or class of proceedings and shall hold and vacate office in accordance with the terms of the instrument under which he is appointed.
- (9) The Council shall pay to an assessor appointed under this section remuneration at such rates as may be determined by them with the consent of the Lord President of the Court of Session.”.

Commencement Information

- I4** S. 51 wholly in force; s. 51 not in force at Royal Assent see s. 61(2); s. 51 in force for specified purposes at 13.10.2000 by S.S.I. 2000/361, art. 3(1), Sch. Pt. I (subject to transitional provisions in art. 4); s. 51 in force for all other purposes at 1.11.2001 by S.S.I. 2000/361, art. 3(2), Sch. Pt. II (subject to transitional provisions in art. 4)

52 Amendment of section 17 of 1965 Act

In section 17(1) of the 1965 Act (which makes provision as respects the interpretation of that Act)—

- (a) for the definition of “register” there shall be substituted—
 ““the register” means the register kept under section 6(1) of this Act (analogous expressions being construed accordingly) and “registered” includes conditionally or provisionally registered;”;
- and
- (b) after that definition there shall be inserted—
 ““relevant misconduct” and “relevant offence” have the meanings given by section 10B(3) of this Act;”.

Commencement Information

- I5** S. 52 wholly in force; s. 52 not in force at Royal Assent see s. 61(2); s. 52 in force for specified purposes at 13.10.2000 by S.S.I. 2000/361, art. 3(1), Sch. Pt. I (subject to transitional provisions in art. 4); s. 52 in force for all other purposes at 1.11.2001 by S.S.I. 2000/361, art. 3(2), Sch. Pt. II (subject to transitional provisions in art. 4)

Status: Point in time view as at 13/10/2000. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: There are currently no known outstanding effects for the Standards in Scotland's Schools etc. Act 2000, Cross Heading: The General Teaching Council. (See end of Document for details)

53 Power of Council to borrow money

In Part II of Schedule 1 to the 1965 Act (which makes supplementary provision in relation to the Council), for paragraph 8 there shall be substituted—

“Powers

- 8 (1) In addition to the powers conferred on the Council by the other provisions of this Act, the Council shall have power—
- (a) to acquire, dispose of and otherwise intromit with rights in land; and
 - (b) to borrow money.
- (2) The consent of the Scottish Ministers is required for the exercise of the power conferred by sub-paragraph (1)(b) above.”.

54 Power of Scottish Ministers to require Council to establish committees

In the Part amended by section 53 of this Act, after paragraph 16 (and the heading “*Other committees*” which immediately follows that paragraph) there shall be inserted—

- “16A The Scottish Ministers may, by statutory instrument subject to annulment in pursuance of a resolution of the Scottish Parliament, make regulations—
- (a) requiring the Council to establish such committees, for such purposes, as are specified in the regulations; and
 - (b) providing for the membership of any committee so established.”.

Status:

Point in time view as at 13/10/2000. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation:

There are currently no known outstanding effects for the Standards in Scotland's Schools etc. Act 2000, Cross Heading: The General Teaching Council.