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## STATUTORY INSTRUMENTS

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# 1993 No. 543

## The Education (Teachers) Regulations 1993

### PART I GENERAL

#### Citation and commencement

1. These Regulations may be cited as the Education (Teachers) Regulations 1993 and shall come into force on 1st April 1993.

#### Revocations and transitional provisions

2.—(1) The Education (Teachers) Regulations 1989<sup>(1)</sup>, the Education (Teachers) (Amendment) (No. 2) Regulations 1989<sup>(2)</sup>, the Education (Teachers) (Amendment) Regulations 1990<sup>(3)</sup>, the Education (Teachers) (Amendment) Regulations 1991<sup>(4)</sup>, the Education (Teachers) (Amendment) (No. 2) Regulations 1991<sup>(5)</sup>, the Education (Teachers) (Amendment) (No. 3) Regulations 1991<sup>(6)</sup> and the Education (Teachers) (Amendment) Regulations 1992<sup>(7)</sup> are hereby revoked.

(2) Schedule 1 shall have effect as respects the transitional matters there mentioned.

#### Schools and institutions to which these Regulations apply and interpretation

3.—(1) Except where the context otherwise requires, in these Regulations—

- (a) a reference to a school is a reference to a school maintained by a local education authority, a special school not so maintained, or a grant-maintained school;
- (b) a reference to a further education institution is a reference to an institution, not being a school, which provides further education (whether or not it also provides higher education) and either—
  - (i) is maintained by a local education authority; or
  - (ii) is within the further education sector;
- (c) a reference to an institution without qualification is a reference to a further education institution or an institution within the higher education sector;
- (d) a reference to a worker with children or young persons is a reference to a person, other than a teacher, whose work brings him regularly into contact with persons who have not attained the age of 19 years.

(2) Except where the context otherwise requires, in these Regulations—

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- (1) S.I. [1989/1319](#).
  - (2) S.I. [1989/1541](#).
  - (3) S.I. [1990/1561](#).
  - (4) S.I. [1991/1134](#).
  - (5) S.I. [1991/1840](#).
  - (6) S.I. [1991/2240](#).
  - (7) S.I. [1992/1809](#).

“authorisation” means an authorisation to teach granted to a person by the Secretary of State in accordance with Part III of Schedule 2;

“hearing impaired” means deaf or partially hearing;

“higher education” means education provided by any of the following courses—

- (a) a course for the further training of teachers or youth and community workers;
- (b) a post-graduate course (including a higher degree course);
- (c) a first degree course;
- (d) a course for the Diploma of Higher Education;
- (e) a course for the Higher National Diploma or Higher National Certificate of the Business & Technician Education Council, or the Diploma in Management Studies;
- (f) a course for the Certificate in Education;
- (g) a course in preparation for a professional examination at a standard higher than the standard of examinations at advanced level for the General Certificate of Education or the examination for the National Certificate or the National Diploma of the Business and Technician Education Council;
- (h) a course providing education (whether or not in preparation for an examination) at a standard higher than the standard of courses providing education in preparation for examinations at advanced level for the General Certificate of Education or the examination for the National Certificate or the National Diploma of the Business and Technician Education Council;

“licence” means a licence to teach granted to a person by the Secretary of State in accordance with Part II of Schedule 2;

“licensed teacher” means a person to whom a licence has been granted;

“overseas trained teacher” means a person to whom an authorisation has been granted;

“qualified teacher” has the meaning assigned thereto by regulation 13 and “unqualified teacher” shall be construed accordingly;

“recommending body” means—

- (a) in the case of a special school maintained by a local education authority or a county, controlled, aided or special agreement school which has no delegated budget, the local education authority;
- (b) in the case of such a school which has a delegated budget, the governing body of the school;
- (c) in the case of a grant-maintained school, the governing body of the school; and
- (d) in the case of a special school not maintained by a local education authority, the governing body of the school;

and any reference to a school which has a delegated budget shall be construed in accordance with section 33(6)(b) of the Education Reform Act 1988;

“relevant employment” has the meaning assigned thereto by regulation 7;

“visually impaired” means blind or partially sighted.

(3) In these Regulations—

- (a) any reference to the 1959 Regulations is a reference to the Schools Regulations 1959<sup>(8)</sup> (as from time to time in force) including those regulations as applied to teachers at special schools by regulation 16 of the Handicapped Pupils and Special Schools Regulations

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(8) S.I. 1959/364; relevant amending instruments are S.I. 1968/1281, 1969/1777, 1971/342, 1973/2021 and 1975/1054.

1959(9) ; and any reference to an approval for the purposes of any provision of the 1959 Regulations shall be construed as including a reference to an approval which, by virtue of regulation 21 thereof, had effect as if given under that provision;

- (b) any reference to the 1975 Regulations is a reference to the Further Education Regulations 1975(10) ; and any reference to a prohibition or restriction under any provisions of those Regulations shall be construed as including a reference to one which, by virtue of regulation 4(3) thereof, had effect as if given under that provision;
- (c) any reference to the 1982 Regulations is a reference to the Education (Teachers) Regulations 1982(11);
- (d) any reference to the 1989 Regulations is a reference to the Education (Teachers) Regulations 1989(12) .

### Approvals

4. Except where the context otherwise requires, an approval for the purposes of these Regulations may apply generally (subject to such exceptions, if any, as are specified therein) or only in a particular case, and “approved” in relation to a course means approved by the Secretary of State.

### Cross references

5. Except where the context otherwise requires any references in these Regulations to a regulation or Schedule is a reference to a regulation contained herein or to a Schedule hereto, any reference in a regulation or Schedule to a paragraph is a reference to a paragraph of that regulation or Schedule and any reference in a paragraph to a sub-paragraph is a reference to a sub-paragraph thereof.

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(9) S.I. 1959/365; relevant amending instruments are S.I. 1968/1281 and 1971/342.

(10) S.I. 1975/1054.

(11) S.I. 1982/106, as amended by S.I. 1988/542 and 1989/329.

(12) S.I. 1989/1319, as amended by S.I. 1989/1541, 1990/1561, 1991/1134, 1840 and 2240 and 1992/1809.