
EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force certain provisions of the Education Act 2002 on 1st August, September, and October 2003. The provisions are listed in articles 2, 3, 4, and 5.

Article 2 relates to provisions concerning the power to make the Teachers' Pay and Conditions document.

Article 3 relates to qualified teacher status, the requirement to be qualified and registered, health and fitness of teachers, GTCE powers and records and hazardous material in FE institutions.

Article 4 relates to the new framework for school governance in Part 3 of the 2002 Act (except for sections 31 and 38), and power to make regulations on allowances in respect of education or training.

Article 5 relates to communication with schools and head teacher qualifications.

The provisions listed in article 2 are non-devolved (teachers' pay and conditions). They are brought into force for all purposes in accordance with the Secretary of State's power in section 216(2). The provisions listed in articles 3, 4 and 5 are brought into force for England only, in accordance with the Secretary of State's power in section 216(4).

Article 6 and the Schedule relate to transitional provisions in relation to the existing regulation on health hazards in FE institution and teachers' qualifications and health standards, the saving of existing instruments of government, financing of maintained nursery schools for the remainder of this financial year, and provisionally registered independent schools.