
WELSH STATUTORY INSTRUMENTS

1999 No. 2817

The Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999

**PART I
GENERAL**

Citation and commencement

1. These Regulations may be cited as the Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999 and shall come into force on 1st September 1999.

Revocations and transitional provisions

- 2.—(1) Part I of Schedule I shall have effect as respects the revocations there mentioned.
(2) Part II of Schedule 1 shall have effect as respects the transitional matters there mentioned.

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 or a special school not so maintained;
 - (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; and
 - (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—
- “accredited institution” means an institution accredited by the Higher Education Funding Council for Wales under paragraph 2 of Schedule 3;
- “Assembly” means the National Assembly for Wales⁽¹⁾;

(1) The National Assembly for Wales was established by section 1 of the Government of Wales Act 1998 (c. 38). All the functions of the Secretary of State relevant to these Regulations are transferred to the Assembly by the National Assembly for Wales (Transfer of Functions) Order 1999 with effect from 1st July 1999. Accordingly, in relation to Wales, references to the Secretary of State in the relevant sections of and Schedules to the Education Reform Act 1988 are to be construed as being, or including, a reference to the Assembly see section 43 of the Government of Wales Act 1998.

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

“BTEC” means the Business and Technology Education Council;

“city college” means a city technology college or a city college for the technology of the arts;

“company” has the same meaning as in the Companies Act 1985(2);

“graduate teacher” means a person to whom an authorisation has been granted in accordance with Part II 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 BTEC Higher National Diploma or BTEC Higher National Certificate provided by the Edexcel Foundation, or the Diploma in Management Studies;
- (f) a course for the Certificate in Education;
- (g) a course in preparation for a National Vocational Qualification at level 4 or 5;
- (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 BTEC National Certificate or the BTEC National Diploma provided by the Edexcel Foundation;

“qualified teacher” has the meaning given to it by regulation 10 and “unqualified teacher” shall be construed accordingly;

“recommending body” means the body that is the organiser of the training given or to be given to the person named in the recommendation;

“registered teacher” means a person to whom an authorisation has been granted in accordance with Part III of Schedule 2;

“relevant employment” has the meaning given to it by regulation 5; and

“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(3) (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 1959(4), 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 1982 Regulations is a reference to the Education (Teachers) Regulations 1982(5);

(2) 1985 c. 6

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

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

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

(c) any reference to the 1989 Regulations is a reference to the Education (Teachers) Regulations 1989⁽⁶⁾; and

(d) any reference to the 1993 Regulations is a reference to the Education (Teachers) Regulations 1993⁽⁷⁾.

(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 Assembly.

(5) 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.

⁽⁶⁾ S.I. 1989/1319.

⁽⁷⁾ S.I. 1993/543.