

1973 No. 2021

EDUCATION, ENGLAND AND WALES
The Schools (Qualified Teachers) Regulations 1973

Made - - - - - *3rd December 1973*

Laid before Parliament *10th December 1973*

Coming into Operation *1st January 1974*

The Secretary of State for Education and Science, in exercise of the powers conferred on her by section 4(2) of the Local Government Act 1966(a) and section 33(3) of the Education Act 1944(b), hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Schools (Qualified Teachers) Regulations 1973 and shall come into operation on 1st January 1974.

(2) The Interpretation Act 1889(c) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Amendment of regulations

2. Regulation 16 (employment of teachers) of the Schools Regulations 1959(d) as amended(e) shall have effect subject to—

(a) in paragraph (1), the omission of sub-paragraph (a);

(b) in paragraph (1)(b), the omission of the word "other";

(c) in paragraph (2)(b), the omission of "(acquired in the case of a teacher in a primary school before 1st January 1970)" and, at the end of paragraph (2), the addition of the following:—

"provided that a person who is eligible for acceptance as a qualified teacher by virtue only of sub-paragraph (b) above—

(i) may not be accepted as a teacher in a primary school (but, subject to sub-paragraph (ii) below, may be accepted as a teacher in a secondary school) if his qualification was acquired after 31st December 1969;

(a) 1958 c. 55; (b) 1944 c. 31.
 (c) 1889 c. 63. (d) S.I. 1959/364 (1959 I, p. 1584).
 (e) The relevant amending instruments are S.I. 1969/1777, 1971/342 (1969 III, p. 5573; 1971 I, p. 1082).

(ii) may be accepted as a teacher in a secondary school if his qualification was acquired after 31st December 1973 only where it is one for the time being recognised by the Secretary of State as a qualification in a subject for teachers of which there is a special need”;

(d) in paragraph 2(e), the substitution for the words “as may be” of the words “or such experience, as may on the recommendation of an authority be”;

(e) in paragraph (3), the omission of sub-paragraph (b).

Consequential amendment

3. (1) In regulation 15(2) (teachers in special schools) of the Handicapped Pupils and Special Schools Regulations 1959(a) as amended(b) the reference to regulation 16(2) of the Schools Regulations 1959 shall be construed as a reference to that regulation as amended, subject to the substitution for the proviso of the following proviso:

“provided that a person who is eligible for acceptance as a qualified teacher by virtue only of sub-paragraph(b) above may not be accepted as a teacher in a special school if his qualification was acquired after 31st December 1969”.

(2) Regulation 3 of the Schools (Qualified Teachers) Regulations 1969(c), which is superseded by paragraph (1) above, is hereby revoked.

Given under the Official Seal of the Secretary of State for Education and Science on 3rd December 1973.

(L.S.)

Margaret H. Thatcher,
Secretary of State for
Education and Science.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations provide that from 1st January 1974 a person shall be eligible for appointment as a qualified teacher in a maintained secondary school by virtue of a special qualification only if he acquired it before that date or it is in a subject for teachers of which there is a special need. They also make minor amendments to the provisions of the regulations which regulate the employment of teachers in maintained schools.

(a) S.I. 1959 365 (1959 I, p. 1024).

(b) The relevant amending instrument is S.I. 1971 342 (1971 I, p. 1082).

(c) S.I. 1969 1777 (1969 III, p. 5573).

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