
WELSH STATUTORY INSTRUMENTS

2003 No. 140 (W.12)

EDUCATION, WALES

The Education (Teachers' Qualifications and Health Standards) (Amendment) (Wales) Regulations 2003

Made - - - - 28th January 2003

Coming into force - - 1st March 2003

In exercise of the powers conferred on the Secretary of State by sections 218(1)(a), (2), 232(5) and (6) of the Education Reform Act 1988⁽¹⁾ and section 10(1) and (2) of the Teaching and Higher Education Act 1998⁽²⁾ and now vested in the National Assembly for Wales⁽³⁾, the National Assembly for Wales makes the following Regulations:

Name, commencement and application

1.—(1) These Regulations are called the Education (Teachers' Qualifications and Health Standards) (Amendment) (Wales) Regulations 2003 and shall come into force on 1st March 2003.

(2) These regulations apply to Wales.

Amendment of the Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999

2. The Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999⁽⁴⁾ are amended as follows:—

(a) In regulation 3(2) insert after the definition of “company”—

““the Council” (“y Cyngor”) means the General Teaching Council for Wales;”.

(b) In Part I of Schedule 3—

(i) insert after paragraph 1(1)(b):—

“(ba) if, the Council being satisfied on or after 1st September 2003 that he or she is a person mentioned in paragraphs 2 to 6 or 8 and, if he or she is a person mentioned in paragraph 8 that the statement submitted by the States of Guernsey Education Council is correct, he or she has

(1) 1988 c. 40. Section 232(6) was amended by section 14 of the Education Act 1994 and paragraph 6 of Schedule 3 and Schedule 4 to the Teaching and Higher Education Act 1998 (c. 30).

(2) 1998 c. 30.

(3) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).

(4) S.I. 1999/2817 (W.18) as amended by S.I. 2002/2938(W279).

received written notification from the Council that he or she is a qualified teacher; or”;

- (ii) insert in paragraph 1(1) after the words “under paragraph (b)” the words “or (ba)”, and after the words “from such date as the Assembly” the words “or the Council”;
- (iii) insert after paragraph 1(2)—

“(2A) Subject to sub-paragraph (4), the Council may provide for a person mentioned in paragraphs 2 to 6 or 8 to be a qualified teacher from a date not more than one year prior to the date of notification to the extent that that is appropriate having regard to all the circumstances of the case.”;

- (iv) in paragraph 1(4) for the words “ the Assembly shall not provide ” substitute the words “neither the Assembly nor the Council shall provide ”.

Amendment of the Teacher Training Incentive (Wales) Regulations 2000

3. The Teacher Training Incentive (Wales) Regulations 2000⁽⁵⁾ are amended by substituting for the definition of “qualified teacher” in regulation 2, the following definition—

““qualified teacher” (“*athro neu athrawes gymwysedig*”) has the same meaning as in section 218(2) of the Education Reform Act 1988.”.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998⁽⁶⁾

28th January 2003

D. Elis-Thomas
The Presiding Officer of the National Assembly

⁽⁵⁾ S.I. 2000/2560 (W.169).

⁽⁶⁾ 1998 c. 38.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Teachers' Qualifications and Health Standards) (Wales) Regulations 1999 so as to enable the General Teaching Council for Wales to determine whether certain categories of persons are qualified teachers. These include a person who has completed a course of initial training for teachers in Wales, Scotland or Northern Ireland; a person who has been recognised as a teacher in Northern Ireland; a person who is registered with the General Teaching Council for Scotland; a school teacher from the European Economic Area; and a person who has been recommended for qualified teacher status by the States of Guernsey Education Council.

These Regulations also make a consequential amendment to the definition of “qualified teacher” in the Teacher Training Incentive (Wales) Regulations 2000.