WELSH STATUTORY INSTRUMENTS

2006 No. 1336 (W.129) (C.44)

EDUCATION, WALES

The Education Act 2002 (Commencement No. 10 and Transitional Provisions) (Wales) Order 2006

Made - - - - 16 May 2006

The National Assembly for Wales, in exercise of the power conferred upon it by section 216 (4)(b) and (5) of the Education Act 2002(**1**), hereby makes the following Order:

Title, application and interpretation

1. The title of this Order is the Education Act 2002 (Commencement No. 10 and Transitional Provisions) (Wales) Order 2006.

2. Provisions brought into force by this Order are brought into force in relation to Wales.

3. In this Order, unless otherwise stated, references to sections and Schedules are references to sections of, and Schedules to, the Education Act 2002.

Appointed day

4.—(1) The day appointed for the coming into force of the provisions specified in Part 1 of the Schedule to this Order is 31 May 2006.

(2) Part 2 of that Schedule (Transitional provision) applies.

(**1**) 2002 c. 32.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**2**).

D. Elis-Thomas

16 May 2006 The Presiding Officer of the National Assembly

(**2**) 1998 c. 38.

THE SCHEDULE

Article 4

Part 1

Provisions coming into force on 31 May 2006

Provision	*Subject matter*
Section 148, so far as relating to the provisions of Schedule 12 below	The General Teaching Councils for England and Wales
In Schedule 12, Part 1, paragraph 3(1), paragraph 3(5) insofar as it inserts subsections (3B) and (3D) of section 3 of the Teaching and Higher Education Act 1998, and paragraph 4(2) and 5.	Amendments of Teaching and Higher Education Act 1998

Part 2

Transitional provision

Until paragraph 3(5) of Schedule 12 is brought fully into force in relation to Wales, the new section 3(3B) of the Teaching and Higher Education Act 1998 (the insertion of which by paragraph 3(5) of Schedule 12 is brought into force by this Order) is to have effect as though the words "provisional registration or full" were omitted, and is if for the words "relevant time" there were substituted the words "time of registration".

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force (on 31 May 2006), in relation to Wales, the provisions of Schedule 12 to the Education Act 2002 specified in the Schedule to the Order. Schedule 12 amends sections 3 and 4 of the Teaching and Higher Education Act 1998. Those sections apply to the General Teaching Council for England and, by virtue of section 9 of that Act, to the General Teaching Council for Wales. The main effect of the amendments brought into force by this Order is that the General Teaching Council for Wales, when considering an application for registration, will be able to reject the application if it is not satisfied as to the applicants suitability to be a teacher. The provisions brought into force also–

confer on the National Assembly for Wales the power to make regulations providing that any prescribed description of person is, or is not, to be taken to be suitable to be a teacher;

enable such regulations to provide for applicants for registration with the General Teaching Council for Wales whose applications are rejected on the new suitability ground to have a right of appeal against the Council's decision;

enable such regulations to provide for applicants for registration with the General Teaching Council for Wales to be notified of the Council's decision and of their right to appeal.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Education Act 2002 have been brought into force in relation to Wales by commencement order made before the date of this Order:

Provision	*Date of Commencement*	*S.I. No.*
Sections 14 to 17	31 March 2003	2002/3185 (W.301)
Section 18(2)	31 March 2003	2002/3185 (W.301)
Section 19(6) (partially)	1 September 2003	2003/1718 (W.185)
Section 19 (1) to (7) (fully)	31 October 2005	2005/2910 (W.207)
Section 20 (1) to (3), (5)	31 October 2005	2005/2910 (W.207)
Sections 21 and 22	1 September 2004	2004/1728 (W.172)
Section 23	31 October 2005	2005/2910 (W.207)
Sections 27 and 28	1 September 2003	2003/1718 (W.185)
Section 29	1 September 2003	2003/1718 (W.185)
Section 30	1 September 2004	2004/1728 (W.172)
Section 32	1 September 2004	2004/1728 (W.172)
Sections 33 and 34	31 October 2005	2005/2910 (W.207)
Section 35	1 April 2006	2006/879 (W.84)
Section 36	1 April 2006	2006/879 (W.84)
Section 37	1 April 2006	2006/879 (W.84)
Section 39(1) (partially)	1 September 2004	2004/1728 (W.178)
Section 39 (fully)	31 October 2005	2005/2910 (W.207)
Section 40 (partially)	1 September 2003	2003/1718 (W.185)
Section 40 (partially)	1 April 2006	2006/879 (W.84)
Section 41	4 December 2003	2003/2961 (W.278)
Section 42	4 December 2003	2003/2961 (W.278)
Section 43	1 November 2003	2003/1718 (W.185)
Section 46	1 December 2003	2003/2961 (W.278)
Section 49	19 December 2002	2002/3185 (W.301)
Section 50	31 May 2005	2005/1395 (W.109)