WELSH STATUTORY INSTRUMENTS

2004 No. 1741 (W.180)

EDUCATION, WALES

The General Teaching Council for Wales (Functions) (Amendment) Regulations 2004

Made - - - -	*6 July 2004*
Coming into force	
except for regulation 2(g)(ii) and (h)(ii)	*the day after the day on which these Regulations are made*
regulation 2(g)(ii) and (h)(ii)	*1 September 2004*

In exercise of the powers conferred on the Secretary of State by sections 3(4), 4(1), (2), (3) and (5), 14(3) and 42(6) and (7) of the Teaching and Higher Education Act 1998(**1**) and now vested in the National Assembly for Wales(**2**), and having consulted the General Teaching Council for Wales in accordance with section 42(9) of that Act, the National Assembly for Wales makes the following Regulations:

Name and commencement

1.—(1) These Regulations are called the General Teaching Council for Wales (Functions) (Amendment) Regulations 2004.

(2) Except for regulation 2(g)(ii) and (h)(ii) these Regulations come into force on the day after the day on which these Regulations are made.

(3) Regulation 2(g)(ii) and (h)(ii) comes into force on 1 September 2004.

Amendment of the General Teaching Council for Wales (Functions) Regulations 2000

2. The General Teaching Council for Wales (Functions) Regulations 2000(**3**) are amended as follows —

(a) in regulation 2 —

(**1**) 1998 c. 30. Sections 2 to 7 apply in relation to the General Teaching Council for Wales by virtue of section 9. Sections 3(4) and 4 are amended prospectively by paragraphs 3(6) and 4(2) of Schedule 12 and paragraph 77 of Schedule 21 to the Education Act 2002 (c. 32). For the meaning of "prescribed" and "regulations" *see* section 43(1).
(**2**) *See* the National Assembly for Wales (Transfer of Functions) (Order) 1999 (S.I. 1999/672).
(**3**) S.I. 2000/1979 (W.140) as amended by S.I. 2001/2496 (W.200).

(i) omit the definition of "the 1988 Act";

(ii) insert after the definition of "advanced skills teacher" the following definition —

""appropriate body" ("*corff priodol*") has the same meaning as in the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2003(**4**);";

(iii) substitute for the definition of "qualified teacher" the following definition —

""qualified teacher" ("*athro neu athrawes gymwysedig*") has the same meaning as in section 132(1) of the Education Act 2002(**5**);";

(b) insert after regulation 3 —

"**Eligibility for registration**

3A.—(1) This regulation applies to a person who, having served an induction period in accordance with regulations made in relation to England or Wales under section 19 of the Teaching and Higher Education Act 1998(**6**), has failed to complete it satisfactorily for the purposes of those regulations.

(2) Such a person is eligible for registration —

(a) during the time for making an appeal under those regulations against the decision that he or she has failed satisfactorily to complete an induction period; and

(b) where such an appeal is made, pending the outcome of the appeal.";

(c) for regulation 4 substitute the following regulation —

"**4.** The Council may make provision as to —

(i) the form and manner in which applications for registration are to be made; and

(ii) the documentary and other evidence which is to accompany applications for registration.";

(d) in regulation 16, for paragraph (3) substitute the following paragraph —

"(3) The following are to be treated as an employer or prospective employer to whom paragraph (1) applies —

(i) a local education authority where the employer or prospective employer is the governing body of a school maintained by that authority (whether or not the governing body has made a request under paragraph (1));

(ii) the appropriate diocesan authority in relation to a Church in Wales or Roman Catholic Church school (within the meaning of section 142 of the School Standards and Framework Act 1998(**7**)) where the employer or prospective employer is the governing body of the school or the local education authority maintaining the school (whether or not the governing body or the authority have made a request under paragraph (1)); and

(**4**) S.I. 2003/543 (W. 77) as amended by S.I. 2004/872 (W.87).
(**5**) 2002 c. 32. *See* the Education (School Teachers' Qualifications) (Wales) Regulations 2004, S.I. 2004/1729 (W.173).
(**6**) The regulations in force at the time of making these regulations were, in relation to Wales, the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2003, S.I. 2003/543 (W.77), as amended by S.I. 2004/872 (W.87), and in relation to England, the Education (Induction Arrangements for School Teachers) (Consolidation) (England) Regulations 2001, S.I. 2001/2897, as amended by S.I. 2001/3938, S.I. 2002/2063 and S.I. 2003/106.
(**7**) 1998 c. 31.