WELSH STATUTORY INSTRUMENTS

2004 No. 872 (W.87)

EDUCATION, WALES

The Education (Induction Arrangements for School Teachers) (Amendment) (Wales) Regulations 2004

Made - - - -	*23rd March 2004*
Coming into force - -	*1st April 2004*

In exercise of the powers conferred on the Secretary of State by sections 19 and 42(6) and (7) of the Teaching and Higher Education Act 1998(**1**) and now vested in the National Assembly for Wales(**2**), the National Assembly for Wales makes the following Regulations:

Name, commencement and application

1.—(1) These Regulations are called the Education (Induction Arrangements for School Teachers) (Amendment) (Wales) Regulations 2004 and come into force on 1st April 2004.

(2) These Regulations apply in relation to Wales.

Amendment of the Education (Induction Arrangements for School Teachers) (Wales) Regulations 2003

2. The Education (Induction Arrangements for School Teachers) (Wales) Regulations 2003(**3**) are amended as follows.

3. In regulation 2(1) —

(a) insert after the definition of "the 1998 Act" the following definition —

""the 2002 Act" ("*Deddf 2002*") means the Education Act 2002(**4**);";

(b) omit the definition of "core subject";

(c) omit the definition of "foundation subject";

(d) in the definition of "key stage" substitute for the words "section 355(1) of the 1996 Act" the words "section 103(1) of the 2002 Act";

(e) insert after the definition of "key stage" the following definition —

(**1**) 1998 c. 30; for the meaning of "prescribed" and "regulations" see section 43(1).
(**2**) The functions of the Secretary of State under these sections were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).
(**3**) S.I. 2003/543 (W.77).
(**4**) 2002 c. 32.

""maternity leave period" ("*cyfnod absenoldeb mamolaeth*") means the maternity leave period specified in regulation 7(1) of the Maternity and Parental Leave etc Regulations 1999(**5**);"

(f) insert after the definition of "non-maintained special school" the following definitions —

""ordinary adoption leave period" ("*cyfnod absenoldeb mabwysiadu arferol*") means a period of ordinary adoption leave under Part 3 of the Paternity and Adoption Leave Regulations 2002(**6**);

"parental leave period" ("*cyfnod absenoldeb rhieiniol*") means a period of parental leave under Part III of the Maternity and Parental Leave etc Regulations 1999;

"paternity leave period" ("*cyfnod absenoldeb tadolaeth*") means a period of paternity leave under Part 2 of the Paternity and Adoption Leave Regulations 2002;".

4.—(1) Regulation 6 is amended as follows.

(2) In paragraph (2)(a) for the words "section 15(6)(a) to (c)" substitute the words "section 15(6)(a) and (b)".

(3) In paragraph (3)(a) for the words "section 354(3) of the 1996 Act" substitute the words "section 105(2) and (3) and section 106(2) and (3) of the 2002 Act".

(4) In paragraph (3)(b) for the words "section 353" to the end substitute the words "section 105(1) of the 2002 Act (the National Curriculum for Wales) other than in relation to assessment arrangements; and".

5.—(1) Regulation 8 is amended as follows.

(2) In paragraph (1) insert after the words "in duration" the words ", or, subject to paragraph (1A), two half school terms,".

(3) Insert after paragraph (1) the following —

"(1A) Where a period of employment under paragraph (1) is two half school terms, then (disregarding school holidays) those half school terms must be consecutive.".

(4) In paragraph (2) insert after the words "in duration" the words ", or, subject to paragraph (2A), two half terms,".

(5) Insert after paragraph (2) the following —

"(2A) Where a period of employment under paragraph (2) is two half terms, then (disregarding holidays) those half terms must be consecutive.".

(6) At the end of paragraph (3) add the following —

"or within 2 weeks of its start".

6. Regulation 9 is amended by substituting for paragraph (2) the following —

"(2) Paragraph (1) does not apply to an absence from work by reason of a maternity leave period, an ordinary adoption leave period, a parental leave period or a paternity leave period unless the person so chooses.".

7.—(1) Regulation 18 is amended as follows.

(2) The existing wording is renumbered as paragraph (1).

(**5**) S.I. 1999/3312, as amended by S.I. 2001/4010.
(**6**) S.I. 2002/2788, as amended by S.I. 2003/921.