STATUTORY RULES OF NORTHERN IRELAND

2001 No. 288

EDUCATION

The General Teaching Council for Northern Ireland (Constitution) Regulations (Northern Ireland) 2001

Made - - - -	*24th July 2001*
Coming into operation	*1st October 2001*

The Department of Education, in exercise of the powers conferred on it by Article 34 of and paragraph 1 of Schedule 1 to the Education (Northern Ireland) Order 1998(**1**) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1. These Regulations may be cited as The General Teaching Council for Northern Ireland (Constitution) Regulations (Northern Ireland) 2001 and shall come into operation on 1st October 2001.

2. In these Regulations—

"the Council" means the General Teaching Council for Northern Ireland;

"member" means a member of the Council;

"the 1998 Order" means the Education (Northern Ireland) Order 1998.

Membership

3. The Council shall consist of 33 members comprising elected members (that is to say, members elected in accordance with regulations 5 and 6 or appointed in accordance with regulation 9(3)) and appointed members (that is to say, appointed in accordance with regulation 7 or 9(1)(*b*)).

Eligibility for election, appointment and to vote in elections

4.—(1) A person shall not be eligible as an elected member or as a member appointed under regulation 7(*a*), or to fill a vacancy for such a member under regulation 9(1), unless—

(a) he is employed as a teacher at the date of his election or appointment to the Council or has been so employed within one year preceding that date; and

(**1**) S.I.1998/1759 (N.I. 13)

(b) he has been employed as a teacher for an aggregate period of two years or more in the five years preceding his election or appointment to the Council;

and for this purpose employment as a teacher includes any period of secondment by arrangement with his employing authority.

(2) A person shall not be eligible as a member, or to vote in the election for elected members under an electoral scheme under regulation 6, at any time when—

(a) his employment as a teacher is prohibited under regulations made under Articles 70(1) and (2)(**2**) and 134(1)(**3**) of the 1986 Order;

(b) his name has been removed from the register under regulations made under Article 36(3)(*f*) of the 1998 Order;

(c) he is ineligible for registration as a teacher or disqualified from being employed as a teacher under any provision of the law of England, of Wales or of Scotland.

Elected members

5.—(1) The elected members shall comprise—

(a) one teacher (whether or not a principal) in a nursery school;

(b) one teacher (whether or not a principal) in a special school;

(c) five teachers in primary education who are not principals;

(d) five teachers in secondary education who are not principals;

(e) one principal in primary education; and

(f) one principal in secondary education.

(2) For the purposes of this regulation—

(a) "primary education" and "secondary education" have the same meaning as in the 1986 Order(**4**), except that they do not include education at a nursery school or special school;

(b) references to a teacher or principal in a particular kind of school or sector of education are references to the kind of school or sector of education in which a teacher or principal is or has been employed in accordance with his eligibility under regulation 4(1) for election or appointment.

Scheme for elections

6.—(1) The election of elected members before the establishment of the Council shall be conducted in accordance with an electoral scheme made by the Department.

(2) Subject to paragraph (1) the election of elected members shall be conducted in accordance with an electoral scheme set out in rules made by the Council with the approval of the Department.

(3) An electoral scheme under paragraph (1) may be amended or revoked by a subsequent scheme of the Department and an electoral scheme under paragraph (2) may be amended or revoked by a subsequent scheme of the Council with the approval of the Department.

(4) An electoral scheme under paragraph (1) or (2) shall include provision for—

(**2**) Article 70 was substituted by Article 8 of S.I. 1987/167 (N.I. 2) and Article 70(1) was amended by Article 42(2) of S.I. 1993/2810 (N.I. 12)
(**3**) Article 134(1) was amended by Article 50(1) and Part II of Schedule 4 to S.I. 1993/2810 (N.I. 12)
(**4**) The definition of "primary education" in Article 2(2) of the 1986 Order was amended by S.I. 1998/1759 (N.I. 13) Schedule 5 Part I; the definition of "secondary education" in that Article was amended by S.I. 1989/2406 (N.I. 20) Schedule 10 and S.I. 1997/1772 (N.I. 15) Schedule 4