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STATUTORY INSTRUMENTS

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**2012 No. 167 (W.26)**

**EDUCATION, WALES**

**The General Teaching Council for Wales  
(Additional Functions) (Amendment) Order 2012**

*Made - - - - 20 January 2012*  
*Laid before the National*  
*Assembly for Wales - - 26 January 2012*  
*Coming into force in accordance with regulation 1(2)*

The Welsh Ministers make the following Order in exercise of the powers conferred upon the Secretary of State by sections 7(1) and (4) and 42(6) and (7) of the Teaching and Higher Education Act 1998<sup>(1)</sup> and now vested in them<sup>(2)</sup>, being of the opinion that the General Teaching Council for Wales may, having regard to their general objectives, appropriately discharge the additional functions conferred in this Order and, in accordance with section 7(2), having carried out such consultation as appears to them to be appropriate:

**Title and commencement**

1.—(1) The title of this Order is the General Teaching Council for Wales (Additional Functions) (Amendment) Order 2012.

(2) Article 2(2)(b) and (c) of this Order comes into force on the day that section 7 of the Education Act 2011<sup>(3)</sup> comes into force and article 2(2)(a) comes into force on the day that section 8 of that Act comes into force.

**Amendment of the General Teaching Council for Wales (Additional Functions) Order 2000**

2.—(1) The General Teaching Council for Wales (Additional Functions) Order 2000<sup>(4)</sup> is amended as follows.

(2) In Part II of the Schedule,

(a) after paragraph 22A insert the following—

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- (1) [1998 c. 30](#). The relevant provisions apply in relation to the General Teaching Council for Wales by virtue of sections 8 and 9 of the Act and the General Teaching Council for Wales Order 1998 (S.I. [1998/2911](#)).
- (2) The Secretary of State's functions were transferred to the National Assembly for Wales by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. [1999/672](#)) and then to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).
- (3) [2011 c. 21](#).
- (4) S.I. [2000/1941](#) (W. 139) as amended by S.I. [2001/2497](#) (W. 201), S.I. [2005/68](#) (W. 6), S.I. [2006/1341](#) (W. 132), S.I. [2009/1351](#) (W. 127) and S.I. [2010/1142](#) (W. 101).

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- “**22B.** The terms of any prohibition order for the time being in force in relation to the person made by the Secretary of State under section 141B of the Education Act 2002.”.
- (b) in paragraph 23A omit the words “or the General Teaching Council for England”.
  - (c) in paragraph 23B omit the words “or the General Teaching Council for England”.

20 January 2012

*Leighton Andrews*  
Minister for Education and Skills, one of the  
Welsh Ministers

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the General Teaching Council for Wales (Additional Functions) Order 2000 (“the 2000 Order”), as a consequence of the Education Act 2011 (“the 2011 Act”) which provides for the abolition of the General Teaching Council for England (“the GTCE”) and makes provision in relation to the prohibition of persons from carrying out teaching work.

Article 2(2) amends Part II of the Schedule to the 2000 Order by adding a new paragraph 22B which provides that the General Teaching Council for Wales (“the Council”) will include in its records the terms of any prohibition order made by the Secretary of State under section 141B of the Education Act 2002 (“the 2002 Act”) prohibiting a person from carrying out teaching work. Section 141B is inserted into the 2002 Act by the 2011 Act.

Article 2(2) also amends paragraphs 23A and 23B of Part II of the Schedule to remove references to the GTCE.