

**2011 No. 2785**

**EDUCATION, ENGLAND**

**The General Teaching Council for England (Disciplinary Functions) (Amendment) Regulations 2011**

*Made* - - - - *21st November 2011*

*Laid before Parliament* *22nd November 2011*

*Coming into force in accordance with regulation 1*

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by section 42(6) of, and paragraph 9(1)(b) and (3)(a) of Schedule 1 to, the Teaching and Higher Education Act 1998(a).

In accordance with section 42(9) of that Act, the Secretary of State has consulted the General Teaching Council for England.

**Citation and commencement**

1. These Regulations may be cited as the General Teaching Council for England (Disciplinary Functions) (Amendment) Regulations 2011 and come into force on the day after the day on which they are laid before Parliament.

**Amendment of the General Teaching Council for England (Disciplinary Functions) Regulations 2001**

2. The General Teaching Council for England (Disciplinary Functions) Regulations 2001(b) are amended as follows.

3. In regulation 8—

- (a) in paragraph (1) omit sub-paragraph (c) and “and” immediately before it;
- (b) in paragraph (3) for “, one registered teacher member” to the end substitute “and one registered teacher member.”;
- (c) after paragraph (3) insert—

“(3A) A member of the Council may not be appointed as a member of a Professional Conduct Committee or a Professional Competence Committee.”;

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(a) 1998 c. 30. The functions of the Secretary of State under Part 1 of the Teaching and Higher Education Act 1998 (“the 1998 Act”) are, so far as exercisable in relation to Wales, vested in the Welsh Ministers. Those functions were transferred to the National Assembly for Wales constituted by the Government of Wales Act 1998 (c. 38) by the National Assembly for Wales (Transfer of Functions) Order 1999, S.I. 1999/672, article 2; see the relevant entry in Schedule 1. By virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32), the functions were transferred to the Welsh Ministers immediately after the end of the initial period as defined by section 161(5) of that Act. For the meaning of “regulations” see section 43(1) of the 1998 Act.

(b) S.I. 2001/1268, to which there are amendments not relevant to these Regulations.

(d) in paragraph (6) omit sub-paragraph (c) and “and” immediately before it.

21st November 2011

*Nick Gibb*  
Minister of State  
Department for Education

### **EXPLANATORY NOTE**

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

These Regulations amend the General Teaching Council for England (Disciplinary Functions) Regulations 2001 to make changes to the provisions about membership of Investigating Committees, Professional Conduct Committees and Professional Competence Committees of the General Teaching Council for England (“the Council”). The amendments remove the obligation for there to be a member of the Council on each such Committee and provide that members of the Council may not be appointed to Professional Conduct or Professional Competence Committees (which determine allegations of unacceptable professional conduct or serious professional incompetence, or conviction of a relevant offence, against registered teachers).

An impact assessment has not been prepared for this instrument as the impact on business, charities and the voluntary and public sectors is minimal.

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