

Draft Order laid before the National Assembly for Wales under section 47(2) of the Education (Wales) Act 2014, for approval by resolution of the National Assembly for Wales.

W E L S H S T A T U T O R Y
I N S T R U M E N T S

2015 No. (W.)

EDUCATION, WALES

**The Education Workforce Council
(Additional Functions and
Revocation) (Wales) Order 2015**

EXPLANATORY NOTE

(This note is not part of the Order)

The General Teaching Council for Wales (“the GTCW”) was specified as a competent authority in the European Communities (Recognition of Professional Qualifications) Regulations 2007 (“the 2007 Regulations”). The 2007 Regulations are made under the European Communities Act 1972. The 2007 Regulations give effect to Council Directive 2005/36/EC on a general system on the recognition of professional qualifications. Section 2 of the Education (Wales) Act 2014 provides that the GTCW is to continue to exist but is re-named the Education Workforce Council (“the Council”). The Council will remain the competent authority for the purposes of the 2007 Regulations.

The General Teaching Council for Wales (Additional Functions) Order 2005 (“the 2005 Order”) conferred on the GTCW the function of acting as a designated authority. As a designated authority the GTCW was to deal with applications from persons who qualified in a relevant state (member states of the European Union) for recognition of their professional qualifications. The 2005 Order also conferred on the GTCW the additional function of providing information and advice to the public about the requirements for recognition in Wales of teaching qualifications obtained in a relevant state. This Order re-enacts the 2005 Order.

This Order also revokes the General Teaching Council for Wales (Additional Functions) Order 2000. That Order conferred additional functions on the

GTCW in relation to the maintenance of records in respect of persons registered with it. It is anticipated that the provision in relation to the maintenance of such records by the Council will be contained in the Education Workforce Council (Main Functions) (Wales) Regulations 2015 (“the 2015 Regulations”). The 2015 Regulations are not in force at the date this Order is made and it is anticipated the 2015 Regulations will come into force on 1 April 2015.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with this Order.

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Made 2015

Laid before the National Assembly for Wales
2015

Coming into force 1 April 2015

The Welsh Ministers, in exercise of the powers conferred on them by sections 5 and 47(1) and (2) of the Education (Wales) Act 2014⁽¹⁾, having consulted such persons as they consider appropriate make the following Order:

Title, commencement, application and revocation

1.—(1) The title of this Order is the Education Workforce Council (Additional Functions and Revocation) (Wales) Order 2015 and it comes into force on 1 April 2015.

(2) This Order applies in relation to Wales.

(3) The Orders set out in the Schedule are revoked.

Interpretation

2. In this Order—

“the Directive” (“*y Gyfarwydddeb*”) means Council Directive 2005/36/EC⁽²⁾ on a general system on the recognition of professional qualifications;

(1) 2014 anaw 5.

(2) OJ No L255, 30.9.2005, p. 22, as amended by Council Directive 2006/100/EC of 20th November 2006, OJ No L363, 20.12.2006, p. 141.

“the Regulations” (“*y Rheoliadau*”) means the European Communities (Recognition of Professional Qualifications) Regulations 2007⁽¹⁾; and

“relevant state” (“*gwladwriaeth berthnasol*”) means an EEA state or Switzerland.

Additional Functions

3.—(1) The Education Workforce Council, having been specified as a competent authority in accordance with the Regulations, is to have the function of considering applications and granting authorisations to practice the profession of school teacher in Wales for the purpose of the Directive.

(2) The Council is to give advice and information to the public about the requirements for recognition in Wales of teaching qualifications obtained in a relevant state.

Huw Lewis

Minister for Education and Skills, one of the Welsh Ministers

Date

⁽¹⁾ S.I. 2007/2781.

Article 1

SCHEDULE
ORDERS REVOKED

<i>Orders revoked</i>	<i>References</i>	<i>Extent of revocation</i>
The General Teaching Council for Wales (Additional Functions) Order 2000	S.I. 2000/1941 (W. 139)	Fully
The General Teaching Council for Wales (Additional Functions) (Amendment) Order 2001	S.I. 2001/2497 (W. 201)	Fully
The General Teaching Council for Wales (Additional Functions) Order 2005	S.I. 2005/36 (W. 3)	Fully
The General Teaching Council for Wales (Additional Functions) (Amendment) Order 2005	S.I. 2005/68 (W. 6)	Fully
The General Teaching Council for Wales (Additional Functions) (Amendment) Order 2006	S.I. 2006/1341 (W. 132)	Fully
The General Teaching Council for Wales (Additional Functions) (Amendment) Order 2007	S.I. 2007/2810 (W. 237)	Fully

The General Teaching Council for Wales (Additional Functions) (Amendment) Order 2009	S.I. 2009/1351 (W. 127)	Fully
The General Teaching Council for Wales (Additional Functions) (Amendment) Order 2012	S.I. 2012/167 (W. 26)	Fully