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WELSH STATUTORY INSTRUMENTS

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**2023 No. 378 (W. 58)**

**EDUCATION, WALES**

**The Education Workforce Council (Main Functions)  
(Wales) (Amendments Relating to Parental Bereavement  
Leave and Shared Parental Leave) Regulations 2023**

<i>Made</i>	- - - -	<i>28 March 2023</i>
<i>Laid before Senedd Cymru</i>		<i>30 March 2023</i>
<i>Coming into force</i>	- -	<i>26 May 2023</i>

The Welsh Ministers, in exercise of the powers conferred by sections 14 and 47(1) of the Education (Wales) Act 2014<sup>(1)</sup>, make the following Regulations:

**Title and coming into force**

**1.** The title of these Regulations is the Education Workforce Council (Main Functions) (Wales) (Amendments Relating to Parental Bereavement Leave and Shared Parental Leave) Regulations 2023 and they come into force on 26 May 2023.

**Amendment of the Education Workforce Council (Main Functions) (Wales) Regulations 2015**

**2.—(1)** The Education Workforce Council (Main Functions) (Wales) Regulations 2015<sup>(2)</sup> are amended as follows.

(2) In regulation 16(a)—

(a) at the end of sub-paragraph (iii) omit “or”, and

(b) at the end of sub-paragraph (iv) omit “or” and insert—

“(v) right to shared parental leave conferred by section 75E or 75G of the 1996 Act<sup>(3)</sup>;  
or

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<sup>(1)</sup> 2014 anaw 5.

<sup>(2)</sup> S.I. 2015/140 (W. 8), amended by S.I. 2016/6 (W. 4); there are other amending instruments, but none is relevant to these Regulations.

<sup>(3)</sup> Sections 75E and 75G were inserted into the Employment Rights Act 1996 (c. 18) by section 117(1) of the Children and Families Act 2014 (c. 6). Section 75G was amended by regulation 146(a) and (b) of S.I. 2016/413 (W. 131).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(vi) right to parental bereavement leave conferred by section 80EA of the 1996 Act<sup>(4)</sup>; or<sup>7</sup>.

28 March 2023

*Jeremy Miles*  
Minister for Education and Welsh Language, one  
of the Welsh Ministers

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(4) Section 80EA was inserted by paragraph 2 of Part 1 of the Schedule to the Parental Bereavement (Leave and Pay) Act 2018 (c. 24).

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## EXPLANATORY NOTE

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

These Regulations amend the Education Workforce Council (Main Functions) (Wales) Regulations 2015 (“the principal Regulations”) which specify that a person may not work as a school teacher and carry out specified work unless they are a qualified teacher or satisfy the specified requirements.

Regulation 2 amends regulation 16 of the principal Regulations to include parental bereavement leave and shared parental leave in the list of statutory leave entitlements which the Education Workforce Council will apply to extend the specified period for which a person is able to carry out specified work without qualified teacher status.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations has been prepared and a copy can be obtained from the Legislation and Governance Branch, Welsh Government, Cathays Park, Cardiff, CF10 3NQ or [SMED2@gov.wales](mailto:SMED2@gov.wales).