



Teaching Council (Scotland) Act 1965

1965 CHAPTER 19

Disciplinary Provisions

10 Investigating and Disciplinary Committees

- (1) The Council shall set up from their own number two committees, to be known respectively as the Investigating Committee and the Disciplinary Committee.
- (2) The Investigating Committee shall be charged with the duty of conducting a preliminary investigation into any case where it is alleged—
 - (a) that a registered person is liable under the provisions of this Act to have his name removed from the register, or
 - (b) that a person who has been duly recommended for registration, and has applied to be registered, has been convicted of a serious offence, or has been otherwise guilty of serious misconduct;and, if, after such investigation, it considers it just to do so, the Investigating Committee shall refer the case to the Disciplinary Committee.
- (3) The Disciplinary Committee shall be charged with the duty of considering and determining—
 - (a) any case referred to it by the Investigating Committee under the last foregoing subsection ;
 - (b) any application by a person for the restoration of his name to the register;
 - (c) any second or subsequent application for registration by a person whose original application has been refused in pursuance of a direction of the Disciplinary Committee under subsection (2) of the next following section;
 - (d) any application for registration by any person who has been a certificated teacher but whose certificate has been withdrawn on the ground of misconduct, or suspended on that ground, and not restored under any enactment in force before the commencement of this Act.
- (4) The Council shall make rules regulating—
 - (a) the membership of each of the said committees, so however that in each there shall be a majority of registered teachers, and that no person (other than the

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chairman of the Council) who has acted as a member of the Investigating Committee with respect to any case shall act as a member of the Disciplinary Committee with respect to that case ;

(b) the times and places of the meetings, the quorum and the mode of summoning the members, of the Disciplinary Committee.

(5) The provisions of Schedule 2 to this Act shall have effect with respect to the procedure of the Disciplinary Committee.