



Teaching Council (Scotland) Act 1971

1971 CHAPTER 2

An Act to enable the Secretary of State by regulations to secure the payment of fees to the General Teaching Council for Scotland for the renewal of registrations in pursuance of section 6 of the Teaching Council (Scotland) Act 1965, by way of deduction from the salaries of persons employed by education authorities and managers of educational establishments; and for purposes connected therewith. [17th February 1971]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Regulations for the deduction of fees for renewal of registration from salaries of certain persons, and the remittance of those fees to the General Teaching Council for Scotland.

- (1) Subject to the following provisions of this section, the Secretary of State may make regulations requiring education authorities and managers of educational establishments to deduct from the salary of any person to whom this section applies any fee prescribed by the registration rules in respect of the retention of that person's name on the register, required to be kept by section 6(1) of the Teaching Council (Scotland) Act 1965, and to remit that fee to the General Teaching Council for Scotland (hereinafter referred to as "the Council").
- (2) The persons to whom this section applies are persons in the employment of the said authorities or managers on such a date or during such a period as may be specified in the said regulations, who are registered in the said register, and who as a consequence of that employment are required by virtue of any enactment (whether passed or made before or after the commencement of this Act) to be so registered.
- (3) Regulations made for the purposes of subsection (1) of this section may make provision with respect to the arrangements to be adopted by education authorities and managers of educational establishments for the deduction and remittance of fees required to be made thereunder, and for notification by the said authorities and

Status: This is the original version (as it was originally enacted).

managers to the Council of such particulars of persons in their employment to whom this section applies as the regulations may prescribe.

- (4) The said regulations may vary or revoke any provision of the registration rules relating to the payment of fees, so far as any such provision requires, in the opinion of the Secretary of State, to be varied or revoked having regard to any provision of the regulations.
- (5) The said regulations may include such consequential, ancillary and incidental provisions as appear to the Secretary of State to be expedient for the purpose of the regulations.

2 Regulations.

- (1) Any power conferred by the foregoing section to make regulations shall be exercisable by statutory instrument, and any instrument containing such regulations shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (2) Before making any regulations as aforesaid the Secretary of State shall consult the Council and such other bodies, representative of interests substantially affected by the regulations, as he may think fit.

3 Interpretation.

- (1) In this Act—
 - " enactment " includes any order, regulation or other instrument having effect by virtue of an Act;
 - " managers of educational establishments " includes persons responsible for the management of an establishment or residential establishment, where school or further education is provided;
 - " registration rules " means the rules for the time being in force under section 6(4) of the Teaching Council (Scotland) Act 1965.
- (2) Unless the context otherwise requires, expressions used in this Act and in the Education (Scotland) Act 1962 or in the Teaching Council (Scotland) Act 1965 have the same meanings in this Act as in those Acts.
- (3) Unless the context otherwise requires, any reference in this Act to any other enactment is a reference thereto as amended, and includes a reference thereto as extended or applied, by or under any other enactment including this Act.

4 Amendment of 1965 c. 19.

The said Act of 1965 shall have effect subject to the amendments specified in the Schedule to this Act.

5 Short title, commencement and extent.

- (1) This Act may be cited as the Teaching Council (Scotland) Act 1971.
- (2) This Act shall, except paragraph 2 of the Schedule thereto, come into operation on the day it is passed, and that paragraph shall come into operation on the same day as Part III of the Social Work (Scotland) Act 1968.

(3) This Act shall extend to Scotland only.

Status: This is the original version (as it was originally enacted).

SCHEDULE

Section 4.

AMENDMENT OF THE TEACHING COUNCIL (SCOTLAND) ACT 1965

1 In section 6, after subsection (5), there shall be inserted the following subsection—

“(5A) Before making any rules under this section in respect of any matter which is, or may be, the subject of regulations under section 1 of the Teaching Council (Scotland) Act 1971, the Council shall consult the Secretary of State.”

2 In section 17(1)—

(a) instead of the definition of " approved school " there shall be substituted the following definition—

“ ' establishment ' and ' residential establishment ' have the same meaning as in the Social Work (Scotland) Act 1968;”,

(b) in the definition of " teach ", for the words " approved school " there shall be substituted the words " establishment or residential establishment, where school or further education is provided " .