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SCHEDULES

SCHEDULE 1

Section 2(5).

THE TEACHER TRAINING AGENCY

Supplementary powers

- 1 (1) The agency may, subject to sub-paragraph (2), do anything which appears to them to be necessary or expedient for the purpose of or in connection with the discharge of their functions, including in particular—
- (a) acquiring and disposing of land and other property,
 - (b) entering into contracts,
 - (c) investing sums not immediately required for the purpose of the discharge of their functions, and
 - (d) accepting gifts of money, land or other property.
- (2) The agency shall not borrow money.

Chief officer

- 2 (1) One of the members of the agency shall be the chief officer.
- (2) The first chief officer shall be appointed as such by the Secretary of State and shall hold and vacate office in accordance with the terms of his appointment.
- (3) Each subsequent chief officer shall be appointed by the agency with the approval of the Secretary of State on such terms and conditions (including terms with respect to tenure and vacation of office) as the agency may with the approval of the Secretary of State determine.
- (4) On approval by the Secretary of State of the person to be appointed on any occasion as chief officer of the agency and the terms and conditions of his appointment, the Secretary of State shall—
- (a) if that person is not already a member of the agency, appoint him as a member for the same term as the term of his appointment as chief officer, or
 - (b) if he is already such a member but his term of appointment as such ends before the term of his appointment as chief officer ends, extend his term of appointment as a member so that it ends at the same time as the term of his appointment as chief officer.

Tenure of members of the agency

- 3 (1) A person shall hold and vacate office as a member or as chairman or chief officer of the agency in accordance with the terms of his appointment and shall, on ceasing to be a member, be eligible for re-appointment.

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- (2) A person may at any time by notice in writing to the Secretary of State resign his office as a member or as chairman of the agency.
- 4 If the Secretary of State is satisfied that a member of the agency—
- (a) has been absent from meetings of the agency for a period longer than six consecutive months without the permission of the agency, or
 - (b) is unable or unfit to discharge the functions of a member,
- the Secretary of State may by notice in writing to that member remove him from office and thereupon the office shall become vacant.

Salaries, allowances and pensions

- 5 (1) The agency—
- (a) shall pay to their members such salaries or fees, and such travelling, subsistence or other allowances, as the Secretary of State may determine, and
 - (b) shall, as regards any member in whose case the Secretary of State may so determine, pay or make provision for the payment of such sums by way of pension, allowances and gratuities to or in respect of him as the Secretary of State may determine.
- (2) If a person ceases to be a member of the agency and it appears to the Secretary of State that there are special circumstances which make it right that he should receive compensation, the Secretary of State may direct the agency to make to that person a payment of such amount as the Secretary of State may determine.
- (3) The agency shall pay to the members of any of their committees who are not members of the agency such travelling, subsistence and other allowances as the Secretary of State may determine.
- (4) A determination or direction of the Secretary of State under this paragraph requires the approval of the Treasury.

Staff

- 6 (1) The agency may appoint such employees as they think fit.
- (2) The agency shall pay to their employees such remuneration and allowances as the agency may determine.
- (3) The employees shall be appointed on such other terms and conditions as the agency may determine.
- (4) A determination under sub-paragraph (2) or (3) requires the approval of the Secretary of State given with the consent of the Treasury.
- 7 (1) Employment with the agency shall be included among the kinds of employment to which a scheme under section 1 of the ^{M1}Superannuation Act 1972 can apply.
- (2) The agency shall pay to the Treasury, at such times as the Treasury may direct, such sums as the Treasury may determine in respect of the increase attributable to sub-paragraph (1) in the sums payable out of money provided by Parliament under that Act.
- (3) Where an employee of the agency is, by reference to that employment, a participant in a scheme under section 1 of that Act and is also a member of the agency, the

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Treasury may determine that his service as such a member shall be treated for the purposes of the scheme as service as an employee of the agency (whether or not any benefits are payable to or in respect of him by virtue of paragraph 5).

Marginal Citations

M1 1972 c. 11.

Committees

- 8 (1) The agency may establish a committee for any purpose.
- (2) The number of the members of a committee established under this paragraph, and the terms on which they are to hold and vacate office, shall be fixed by the agency.
- (3) Such a committee may include persons who are not members of the agency.
- (4) The agency shall keep under review the structure of committees established under this paragraph and the scope of each committee's activities.

Delegation of functions

- 9 The agency may authorise the chairman, the chief officer or any committee established under paragraph 8 to exercise such of their functions as they may determine.

Proceedings

- 10 Without prejudice to any other rights the Secretary of State may require to be accorded to him as a condition of any grants made to the agency under this Act—
- (a) a representative of the Secretary of State shall be entitled to attend and take part in any deliberations (but not in decisions) at meetings of the agency or of any committee of the agency, and
- (b) the agency shall provide the Secretary of State with such copies of any documents distributed to members of the agency or of any such committee as he may require.
- 11 (1) Her Majesty's Chief Inspector of Schools in England, or a representative of his, shall be entitled to attend and take part in any deliberations (but not in decisions) at meetings of the agency or of any committee of the agency.
- (2) The agency shall provide Her Majesty's Chief Inspector of Schools in England with such copies of any documents distributed to members of the agency or of any such committee as he may require.
- 12 The validity of any proceedings of the agency or of any committee of the agency shall not be affected by a vacancy among the members or by any defect in the appointment of a member.
- 13 Subject to the preceding provisions of this Schedule, the agency may regulate their own procedure and that of any of their committees.

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Application of seal and proof of instruments

- 14 The application of the seal of the agency shall be authenticated by the signature—
- (a) of the chairman or of some other person authorised either generally or specially by the agency to act for that purpose, and
 - (b) of one other member.
- 15 Every document purporting to be an instrument made or issued by or on behalf of the agency and to be duly executed under the seal of the agency, or to be signed or executed by a person authorised by the agency to act in that behalf, shall be received in evidence and be treated, without further proof, as being so made or issued unless the contrary is shown.

Accounts

- 16 (1) It shall be the duty of the agency—
- (a) to keep proper accounts and proper records in relation to the accounts,
 - (b) to prepare in respect of each financial year of the agency a statement of accounts, and
 - (c) to send copies of the statement to the Secretary of State and to the Comptroller and Auditor General before the end of the month of August next following the financial year to which the statement relates.
- (2) The statement of accounts shall comply with any directions given by the Secretary of State with the approval of the Treasury as to—
- (a) the information to be contained in it,
 - (b) the manner in which the information contained in it is to be presented, or
 - (c) the methods and principles according to which the statement is to be prepared,
- and shall contain such additional information as the Secretary of State may with the approval of the Treasury require to be provided for the information of Parliament.
- (3) The Comptroller and Auditor General shall examine, certify and report on each statement received by him in pursuance of this paragraph and shall lay copies of each statement and of his report before each House of Parliament.
- (4) In this paragraph “financial year” means the period beginning with the date on which the agency is established and ending with the 31st March following that date, and each successive period of twelve months.

Annual reports

- 17 The agency—
- (a) shall make an annual report to the Secretary of State, who shall lay a copy of it before each house of Parliament; and
 - (b) may arrange for any such report to be published in such manner as the agency consider appropriate.

Status of agency

- 18 The agency shall not be regarded as the servant or agent of the Crown or as enjoying any status, immunity or privilege of the Crown; and the property of the agency shall not be regarded as property of, or property held on behalf of, the Crown.

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SCHEDULE 2

Section 24.

CONSEQUENTIAL AMENDMENTS

Public Records Act 1958 (c.51)

- 1 In Schedule 1 to the Public Records Act 1958 (definition of public records), in Part II of the Table at the end of paragraph 3 (organisations whose records are public records) insert at the appropriate place—

“Teacher Training Agency”

Education Act 1962 (c. 12)

- 2 In section 4 of the Education Act 1962 (awards &c .by local education authorities and Secretary of State: supplementary provisions), after subsection (1) insert—

“(1A) In those sections any reference to an institution other than a university or college includes a reference to an institution providing a course which qualifies for funding under Part I of the Education Act 1994.”.

Superannuation Act 1972 (c.11)

- 3 In Schedule 1 to the Superannuation Act 1972 (employments to which a scheme under section 1 of that Act can apply), at the end of the list of “Other Bodies” insert — “ Teacher Training Agency. ”.

House of Commons Disqualification Act 1975 (c.24)

- 4 In Part III of Schedule 1 to the House of Commons Disqualification Act 1975 (disqualifying offices), at the appropriate place insert— “ Any member of the Teacher Training Agency in receipt of remuneration. ”.

Sex Discrimination Act 1975 (c.65)

- 5 (1) The Sex Discrimination Act 1975 is amended as follows.

^{F1}(2)

- (3) After section 23C (discrimination by Funding Agency for Schools or Schools Funding Council for Wales) insert—

“23D Discrimination by Teacher Training Agency.

It is unlawful for the Teacher Training Agency in carrying out their functions under Part I of the Education Act 1994 to do any act which constitutes sex discrimination.”.

- (4) In section 25 (general duty in public sector of education)—

^{F2}(a)

- (b) after subsection (6)(e) insert—

“(f) the Teacher Training Agency.”.

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Textual Amendments

- F1** Sch. 2 para. 5(2) repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583(2), **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).
- F2** Sch. 2 para. 5(4)(a) repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583(2), **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

Race Relations Act 1976 (c.74)

6 (1) The Race Relations Act 1976 is amended as follows.

^{F3}(2)

(3) After section 18C (discrimination by Funding Agency for Schools or Schools Funding Council for Wales) insert—

“18D Discrimination by Teacher Training Agency.

It is unlawful for the Teacher Training Agency in carrying out their functions under Part I of the Education Act 1994 to do any act which constitutes racial discrimination.”.

(4) In section 19 (general duty in public sector of education)—

^{F4}(a)

(b) after subsection (6)(e) insert—

“(f) the Teacher Training Agency.”.

Textual Amendments

- F3** Sch. 2 para. 6(2) repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583(2), **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).
- F4** Sch. 2 para. 6(4)(a) repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583(3), **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

Education (Fees and Awards) Act 1983 (c.40)

7 In section 1 of the Education (Fees and Awards) Act 1983 (regulations as to fees payable by foreign students), in subsection (3) (institutions to which the section applies) after paragraph (d) insert—

“(e) any institution eligible for funding under Part I of the Education Act 1994 (teacher training).”.

Education Reform Act 1988 (c.40)

8 ^{F5}(1)

^{F6}(2)

^{F6}(3)

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F6(4)

F5(5)

Textual Amendments

- F5** Sch. 2 para. 8(1)(5) repealed (11.9.1998) by 1998 c. 18, ss. 54(3), 55(2), **Sch.5**.
- F6** Sch. 2 para. 8(2)-(4) repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583(2), **Sch. 38 Pt. I** (with ss. 1(4), 561, 562, **Sch. 39**) and Sch. 2, para. 8(4) is expressed to be repealed (1.8.2003 for E.) by **Education Act 2002 (c. 32)**, s. 216(4), **Sch. 22 Pt. 3** (with ss. 210(8), 214(4)); S.I. 2003/1667, art. 3

Education (Student Loans) Act 1990 (c.6)

- 9 In section 1 of the Education (Student Loans) Act 1990 (loans for students of certain institutions), in subsection (3)(a) (meaning of “institutions receiving support from public funds”), after “institutions receiving grants under section 65 of the Further and Higher Education Act 1992” insert “ or under section 5 of the Education Act 1994 ”.

Further and Higher Education Act 1992 (c.13)

- 10 (1) The Further and Higher Education Act 1992 is amended as follows.
- (2) In section 70(1)(a) (assessment by higher education funding councils of quality of education provided by institutions), omit “under this Part of this Act”.

F7(3)

Textual Amendments

- F7** Sch. 2 para. 10(3) repealed (1.9.1996) by 1996 c. 50, s. 10, **Sch.4**; S.I. 1996/2022, **art.2**.

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