
EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 6 of the Teaching Council (Scotland) Act 1965 requires the General Teaching Council for Scotland (“the Council”) to maintain a register of teachers and specifies the qualifications which entitle a person to be registered in it. Registration may be either absolute or, where the Council’s rules so provide, provisional subject to satisfaction of certain conditions.

The European Communities (Recognition of Professional Qualifications) Regulations 1991 (“the Recognition Regulations”) require the designated authorities for various professions in the United Kingdom to authorise, in prescribed circumstances, nationals of Member States of the European Communities who have equivalent qualifications to practise those professions. The Council is the designated authority for the profession of School Teacher in Scotland (In publicly regulated schools).

The present Regulations make provision consequential on the obligations imposed on the Council by the Recognition Regulations. They amend the statutory list of persons entitled to be registered so as to include persons who satisfy the basic requirements for recognition of qualifications set out in regulation 5 of the Recognition Regulations and provide evidence that they are medically fit to teach.

Registration of such persons could under section 6 of the 1965 Act be absolute or, in circumstances where the Recognition Regulations allow conditions to be imposed and rules of the Council so allow, provisional subject to satisfaction of those conditions.