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STATUTORY INSTRUMENTS

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**1999 No. 2166**

**The Education (Teachers' Qualifications and Health Standards) (England) Regulations 1999**

**PART IV**

**PROVISIONS APPLYING ONLY TO SCHOOLS**

**Employment to which Part IV applies**

**8.** Subject to regulation 9 this part shall apply in relation to the employment of persons as teachers at schools, unless they are employed solely in the provision of—

- (a) part-time education to persons over compulsory school age only; or
- (b) full-time education to persons who have attained the age of 19 years only; or
- (c) both such part-time and such full-time education.

**9.** For the purposes of this Part, employment includes the engagement of a person to provide his services as a teacher otherwise than under a contract of employment and references to employment or being employed shall be construed accordingly.

**Employment normally restricted to qualified teachers**

**10.** Save in the cases and circumstances specified in Schedule 2, and subject to regulations 11, 12, 13 and 14 no person shall be employed as a teacher at a school unless he is a qualified teacher in accordance with Schedule 3.

**Employment of teachers of hearing impaired pupils**

**11.** Subject to regulations 13 and 14, a person shall not be a qualified teacher for the purpose of employment at a school as a teacher of a class of pupils who are hearing impaired (otherwise than to give instruction in a craft, trade or domestic subject), unless in addition to being a qualified teacher in accordance with Schedule 3, he possesses a qualification for the time being approved by the Secretary of State for the purpose of this regulation.

**Employment of teachers of visually impaired pupils**

**12.** Subject to regulations 13 and 14, a person shall not be a qualified teacher for the purpose of employment at a school as a teacher of a class of pupils who are visually impaired (otherwise than to give instruction in a craft, trade or domestic subject), unless in addition to being a qualified teacher in accordance with Schedule 3, he possesses a qualification for the time being approved by the Secretary of State for the purpose of this regulation.

**Employment of teachers of pupils who are both hearing and visually impaired**

13.—(1) Subject to paragraph (2) and regulation 14, a person shall not be a qualified teacher for the purpose of employment at a school as a teacher of a class of pupils who are both hearing impaired and visually impaired (otherwise than to give instruction in a craft, trade or domestic subject), unless in addition to being a qualified teacher in accordance with Schedule 3, he possesses a qualification for the time being approved by the Secretary of State for the purpose of this regulation.

(2) A person who possesses a qualification approved under regulation 11 or 12 shall be a qualified teacher for the purpose mentioned in paragraph (1) notwithstanding that he does not possess a qualification approved for the purpose of that paragraph where his employers are satisfied that no teacher with such a qualification is available to teach the class in question.

**Temporary employment of teachers of the visually impaired or hearing impaired (or both)**

14. A person may be employed at a school as the teacher of a class of pupils who are—

- (a) hearing impaired;
- (b) visually impaired; or
- (c) both hearing impaired and visually impaired,

notwithstanding that he is not a qualified teacher in accordance with regulation 11, 12 or 13(1), as the case may be, for the purpose of such employment if his employers are satisfied that it is his intention to acquire a qualification approved by the Secretary of State under regulation 11, 12 or 13(1), as the case may be, provided however that the aggregate period for which he has been employed, in one or more schools, as the teacher of such a class of pupils as are mentioned in sub-paragraph (a), (b) or (c), as the case may be, does not exceed three years.