
WELSH STATUTORY INSTRUMENTS

2002 No. 2940 (W.281)

EDUCATION, WALES

**The General Teaching Council for
Wales (Amendment) Order 2002**

Made - - - - - *27th November 2002*

Coming into force - - - - - *31st March 2003*

In exercise of the powers conferred on the Secretary of State by section 8(1) and (2) of the Teaching and Higher Education Act 1998⁽¹⁾ and now vested in the National Assembly for Wales⁽²⁾, the National Assembly for Wales makes the following Order:

Name and commencement

1. This Order is called the General Teaching Council for Wales (Amendment) Order 2002 and shall come into force on 31st March 2003.

Amendment of the General Teaching Council for Wales Order 1998

2. The General Teaching Council for Wales Order 1998⁽³⁾ shall be amended by adding at the end of article 3 the following words—

“subject to the following modifications of Schedule 1—

(a) omit paragraph 2(3);

(b) (i) in paragraph 4(1)(a), (3) and (4) for “the Secretary of State” substitute “they”;

(ii) for paragraph 4(1)(b) substitute—

“shall, as regards any member in whose case they 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 that member as they may determine.”; and

(iii) in paragraph 4(2) for the words “Secretary of State” in the first place they appear substitute “Council”, and for the words “the Secretary of State may direct the Council to make to that person a payment of such amount as the Secretary of State may determine” substitute “the Council may make to that person a payment of such amount as they may determine”;

(1) 1998 c. 30.

(2) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).

(3) S.I. 1998/2911.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (c) omit paragraph 5(4);
- (d) in paragraph 6(1) and (3) omit the words “with the consent of the Secretary of State” in each place they appear; and
- (e) omit paragraph 11(1) .”.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(4)

27th November 2002

Dafydd Elis-Thomas
The Presiding Officer of the National Assembly

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the General Teaching Council for Wales Order 1998 so as to modify the application of Schedule 1 to the Teaching and Higher Education Act 1998 to the General Teaching Council for Wales (“the Council”) so as to remove controls on the Council exercisable by the National Assembly for Wales (“the National Assembly”).

The following controls are removed—

- The requirement for the consent of the National Assembly before the Council can exercise specified powers;
- The National Assembly’s power to determine Council members' salaries, allowances, pensions and other payments;
- The requirement for the National Assembly’s approval in relation to Council employees' remuneration, allowances, terms and conditions;
- The requirement for the National Assembly’s consent in relation to Council employees' pensions or gratuities;
- The entitlement of representatives of the National Assembly or a representative of a designated body to participate in Council meetings.