

Education (Scotland) Act 1973

1973 CHAPTER 59

An Act to make provision with regard to the powers of the Secretary of State under sections 1(2) and 76(1) of the Education (Scotland) Act 1962, and under the said section 1(2), as re-enacted as section 2 of the said Act of 1962 by the Education (Scotland) Act 1969, in relation to the employment of teachers, and for purposes connected therewith. [25th October 1973]

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:—

Employment of teachers. 1962 c. 47. 1969 c. 49.

1.—(1) It is hereby declared that the power of the Secretary of State to make regulations under section 1(2) of the Education (Scotland) Act 1962, as originally enacted, and as re-enacted as section 2 by the Education (Scotland) Act 1969 includes power (and shall be deemed always to have included power on and after 1st November 1965) to prescribe in such regulations that only registered teachers shall be employed or continue to be employed as teachers by education authorities in the educational establishments to which the regulations apply, subject to such exceptions as may from time to time be so prescribed.

(2) For the avoidance of doubt, it is hereby declared that the power of the Secretary of State to make regulations under section 76(1) of the said Act of 1962 includes power (and shall be deemed always to have included power on and after 1st November 1965) to prescribe in such regulations that only registered teachers

shall be employed or continue to be employed as teachers by managers of educational establishments in the educational establishments to which the regulations apply, subject to such exceptions as may from time to time be so prescribed.

S.I. 1956 No. 894 (S. 40). S.I. 1967 No. 1162 (S. 95).

(3) For the avoidance of doubt, it is hereby declared that in the Schools (Scotland) Code 1956, as amended by the Teachers (Education, Training and Registration) (Scotland) Regulations 1967, regulation 4(2) shall be construed as having always applied to teachers in employment on 1st April 1968, as well as to teachers taken into employment after that date.

Interpretation and citation.

2.—(1) This Act shall be construed as one with the Education (Scotland) Acts 1939 to 1971.

(2) This Act may be cited as the Education (Scotland) Act 1973 and along with the Education (Scotland) Acts 1939 to 1971 may be cited as the Education (Scotland) Acts 1939 to 1973.