STATUTORY INSTRUMENTS

2004 No. 1886

EDUCATION, ENGLAND

The General Teaching Council for England (Additional Functions) Order 2004

Made - - - -	*20th July 2004*
Laid before Parliament	*28th July 2004*
Coming into force - -	*31st August 2004*

Being of the opinion that the General Teaching Council for England may, in conjunction with their other functions, appropriately discharge the additional functions hereby conferred, and having carried out such consultation as appears to him to be appropriate in accordance with section 7(2) of the Teaching and Higher Education Act 1998(**a**), the Secretary of State for Education and Skills, in exercise of the powers conferred by section 7(1) and (3) of that Act(**b**) hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the General Teaching Council for England (Additional Functions) Order 2004 and shall come into force on 31st August 2004.

Interpretation

2. In this Order—

"the Directive" means Council Directive 89/48/EEC(**c**) on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration;

"designated authority" means a body or authority designated in relation to the profession of school teacher in England and Wales as having the function of considering applications and granting authorisations to practice that profession in accordance with the Regulations;

"the Regulations" means the European Communities (Recognition of Professional Qualifications) Regulations 1991(**d**); and

"relevant state" means a member state of the European Community, Iceland, Norway, Liechtenstein or Switzerland.

(**a**) 1998 c.30, amended by the Education Act 2002 c.32.
(**b**) The Secretary of State can exercise the powers under Part 1 of the Teaching and Higher Education Act 1998 only in relation to England: see article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).
(**c**) OJ No. L 19, 24.1.89, p.16.
(**d**) SI 1991/824, amended by SI 2000/1960 and SI 2002/3501.

Additional functions

3.—(1) The Council shall assist the Secretary of State in relation to the exercise of his function of designated authority under the Regulations by—

(a) at the Secretary of State's request—

(i) giving him advice about or assistance with, or

(ii) making a recommendation to him about,

any exercise of his function as designated authority under the Regulations;

(b) providing information and advice to the public about the requirements for recognition in England and Wales of teaching qualifications obtained in a relevant state; and

(c) at the Secretary of State's request, carrying out administrative tasks connected with his function of designated authority under the Regulations.

(2) The Council shall act as the designated authority under the Regulations for the teaching profession for the purposes of the Directive if designated as such.

David Miliband
Minister of State
20 July 2004 Department for Education and Skills

EXPLANATORY NOTE

(This note is not part of the Order)

This Order confers additional functions on the General Teaching Council for England, a body corporate established by section 1(1) of the Teaching and Higher Education Act 1998. The Council's functions include establishing and maintaining a register of teachers, issuing a Code of Practice laying down the standards of professional conduct and practice expected of registered teachers, exercising disciplinary powers in relation to registered teachers and persons applying for registration and giving advice about teaching issues to the Secretary of State and others.

The additional functions conferred by this Order are—

First, to assist the Secretary of State with his function of designated authority for the purposes of the European Communities (Recognition of Professional Qualifications) Regulations 1991, which are made under the European Communities Act 1972. These Regulations give effect to Directive 89/48/EEC on a general system for the recognition of higher-education diplomas awarded on completion of professional education and training of at least three years' duration. The Council's additional function in this respect comprises the following:

(a) when the Secretary of State so requests, giving him advice about, or assistance with and making recommendations about, the exercise of his functions as designated authority to recognise the qualifications of teachers who have qualified in a relevant state (namely, member states of the European Community, Iceland, Norway, Liechtenstein and Switzerland);

(b) giving information and advice to the public about the requirements for recognition in England and Wales of teaching qualifications obtained a relevant state; and

(c) where the Secretary of State so requests, carrying out administrative tasks connected with his function of designated authority under the Regulations.

Second, if designated as such under the Regulations, to be the designated authority for the profession of school teacher for the purpose of dealing with applications from persons qualified in other relevant states for recognition of their professional qualifications, in accordance with the Directive.

STATUTORY INSTRUMENTS

2004 No. 1886

EDUCATION, ENGLAND

The General Teaching Council for England (Additional Functions) Order 2004

£3.00

© Crown copyright 2004

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo, Controller of Her Majesty's
Stationery Office and Queen's Printer of Acts of Parliament.
E1006 7/2004 141006T 19585

ISBN 0-11-049569-1

9 780110 495699