EXPLANATORY MEMORANDUM TO

The General Teaching Council for Northern Ireland (Constitution) (Amendment) Regulations (Northern Ireland) 2014

SR No. 218

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department of Education to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under Article 34 of and paragraph 1 of Schedule 1 to the Education (Northern Ireland) Order 1998 and is subject to the negative resolution procedure.

2. Purpose

2.1. Regulation 2 inserts a new regulation 8A into the General Teaching Council for Northern Ireland (Constitution) Regulations (Northern Ireland) 2001 to provide for the extension of the term of office of Council members whose term of office would otherwise have ended on 14 October 2014 by a further year.

3. Background

3.1. An amendment to the General Teaching Council for Northern Ireland (Constitution) Regulations (NI) 2001 to extend the term of office of Council members is required to facilitate the transition to the new Council when the proposed GTCNI Bill is enacted. The amendment would ensure an experienced Council would oversee the transition and negate the need for fresh elections and public appointments for a term of office which may only last up to one year.

4. Consultation

4.1. There is no legislative requirement for the Department to consult on these proposals. However, it has consulted with the Commissioner for Public Appointments about the extension of the appointment of the three Departmental appointees. The Commissioner has agreed to an exceptional extension to those appointments.

5. Equality Impact

5.1. An Equality Screening Exercise was carried out on this proposal and has concluded that it will not differentially impact adversely on any of the section 75 groups.

6. Regulatory Impact

6.1. A Regulatory Impact Assessment has not been prepared for these regulations as they have no impact on businesses, charities, social economy enterprises or voluntary bodies.

7. Financial Implications

7.1. There are no financial implications for the Department of Education.

8. Section 24 of the Northern Ireland Act 1998

8.1. The Departmental Solicitor's Office has confirmed that the proposed draft regulations comply with section 24 of the Northern Ireland Act 1998 which requires that they are compatible with the rights in the European Convention for the Protection of Human Rights and Fundamental Freedoms.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. There are no parity or replicatory measures.

11. Additional Information

11.1. Not applicable.