

Explanatory Memorandum to The General Teaching Council for Wales (Amendment) Order 2012

This Explanatory Memorandum has been prepared by the Department for Education and Skills (DfES) and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of The General Teaching Council for Wales (Amendment) Order 2012.

Leighton Andrews

Minister for Education and Skills

20 January 2012

1. Description

This Order amends the General Teaching Council for Wales Order 1998 ("the 1998 Order") by removing the reference to the General Teaching Council for England in article 3 of the 1998 Order.

2. Matters of special interest to the Constitutional and Legislative Affairs committee

None.

3. Legislative background

The statutory powers of the Welsh Ministers to make the Order are found in sections 8(1) and (2) of the Teaching and Higher Education Act 1998.

The Order follows the negative resolution procedure.

4. Purpose & intended effect of the legislation

The General Teaching Council for Wales Order 1998 established the General Teaching Council for Wales (GTCW) and gave effect to a number of sections of the Teaching and Higher Education Act 1998 in relation to the GTCW.

Article 3 of the 1998 Order states that section 1 and Schedule 1 of the Teaching and Higher Education Act 1998 which relates to the General Teaching Council for England's functions and powers has the same effect in relation to the GTCW.

The Education Act 2011 provides for the abolition of the General Teaching Council for England on a date to be appointed by the Secretary of State. As a consequence, the 1998 Order needs to be amended to remove the reference to the General Teaching Council for England, the changes to come into force when the relevant provisions of the Education Act 2011 come into force.

5. Consultation

No formal consultation exercise has taken place as the proposed amendment is technical in nature and is consequential following the abolition of the General Teaching Council for England.

6. Regulatory Impact Assessment (RIA)

A Regulatory Impact Assessment has not been prepared as the Order does not impose any additional costs on businesses, employers or third parties.

