STATUTORY INSTRUMENTS

1971 No. 296 (S.45)

EDUCATION, SCOTLAND

The General Teaching Council (Deduction of Fees for Renewal of Registration) (Scotland) Regulations 1971

Made - - -	*23rd February* 1971
Laid before Parliament	*25th February* 1971
Coming into Operation	*26th February* 1971

In exercise of the powers conferred upon me by section 1 of the Teaching Council (Scotland) Act 1971(a) and of all other powers enabling me in that behalf, and after consultation with the General Teaching Council for Scotland and such other bodies as appear to me to be representative of interests substantially affected by these regulations, I hereby make the following regulations:—

Citation and Commencement

1. These regulations may be cited as the General Teaching Council (Deduction of Fees for Renewal of Registration) (Scotland) Regulations 1971 and shall come into operation on 26th February 1971.

Interpretation

2.—(1) In these regulations, unless the context otherwise requires:—

"the Council" means the General Teaching Council for Scotland;

"the register" means the register required to be kept under section 6 of the Teaching Council (Scotland) Act 1965(b);

"registration number", in relation to a person, means any registration number entered in the register in respect of that person;

"registration period" means a period not exceeding one year and ending on 31st March; and other expressions have the same meaning as in the Teaching Council (Scotland) Act 1971.

(2) The Interpretation Act 1889(c) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(3) Any reference in these regulations to any enactment is a reference thereto as amended, and includes a reference thereto as extended or applied, by or under any other enactment.

Application

3. These regulations shall apply to persons in the employment of education authorities or of managers of educational establishments on the first day of April in any year who are registered in the register, and who as a consequence of that employment are required by virtue of any enactment (whether passed or made before or after the commencement of the Teaching Council (Scotland) Act 1971) to be so registered:

(a) 1971 c. 2. (b) 1965 c. 19. (c) 1889 c. 63.

Provided that where in any year the first day of April falls within a vacation then in relation to persons who ceased to be employed by such authorities or managers immediately before the commencement of that vacation but who are further employed by the same employers immediately after that vacation, such further employment shall, for the purposes of this regulation, be deemed to have commenced on that first day of April.

Notification to Council and Deduction of Fees

4. The employer of any person to whom these regulations apply shall—

(i) within 15 days after these regulations commence to apply to that person in any year give written notice to the Council that that person, as a consequence of his employment, is required to be registered and of his full name and registration number; and

(ii) deduct the fee prescribed by the registration rules in respect of the retention of that person's name on the register during the registration period ending in the following year from the first payment of salary made in that period by the employer to that person in respect of his employment in that period.

Remittance of Fees

5. Where by virtue of head (ii) of regulation 4 of these regulations an employer has deducted a fee from any payment of salary, the employer shall remit that fee to the Council within the period of 7 days immediately following the date of that payment of salary.

Employment by two or more Employers

6. Where on the first day of April in any year a person to whom these regulations apply is employed by two or more employers, who (apart from this regulation) are required by virtue of regulations 4 and 5 of these regulations to give notice to the Council and to deduct and remit the fee in respect of the retention of that person's name on the register, only that one of the employers for whom that person teaches first in the registration period to which the fee relates shall give such notice and make such deduction and remittance and that employer shall do so on behalf of all the employers.

Gordon Campbell,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.
23rd February 1971.

EXPLANATORY NOTE
(*This Note is not part of the Regulations.*)

These Regulations prescribe the arrangements under which education authorities and managers of educational establishments are required to deduct fees for the renewal of registration from the salaries of certain persons and the subsequent remittance of those fees to the General Teaching Council for Scotland.