
WELSH STATUTORY INSTRUMENTS

2015 No. 195 (W. 10)

EDUCATION, WALES

**The Education Workforce Council
(Registration Fees) (Wales) Regulations 2015**

Made - - - - - *10 February 2015*

Coming into force - - - - - *1 April 2015*

The Welsh Ministers, in exercise of the powers conferred upon them by sections 12, 36 and 47(1) and (2) of the Education (Wales) Act 2014⁽¹⁾ make the following Regulations.

In accordance with section 47(2) of the Education (Wales) Act 2014 a draft of these Regulations was laid before the National Assembly for Wales and approved by a resolution of the National Assembly for Wales.

Title, commencement, application and revocation

1.—(1) The title of these Regulations is the Education Workforce Council (Registration Fees) (Wales) Regulations 2015 and they come into force on 1 April 2015.

(2) These Regulations apply in relation to Wales.

(3) The regulations set out in Schedule 1 are revoked.

Interpretation

2. In these Regulations—

“the 2014 Act” (“*Deddf 2014*”) means the Education (Wales) Act 2014;

“employer” (“*cyflogwr*”) means a person who employs or engages a registered person to provide relevant services;

“fee” (“*ffi*”) means any fee payable by virtue of section 12 of the 2014 Act;

“notification date” (“*dyddiad hysbysu*”) means the date notified to an employer by the Council as being the date upon which the fee becomes payable; and

“Register” (“*Cofrestr*”) means the register established and maintained under section 9 of the 2014 Act; and “registration” (“*cofrestru*”) means registration on the Register.

Amount of registration fee payable

3.—(1) The fees payable for the period commencing on 1 April 2015 and ending on 31 March 2016 are—

- (a) £45 for school teachers; and
- (b) £45 for further education teachers.

(2) The fees payable pursuant to paragraph (1) are to be subsidised by such amount as may be determined by the Welsh Ministers from time to time.

(3) The amount of any subsidy determined by the Welsh Ministers in accordance with paragraph (2) must be published on the Welsh Government website.

(4) The Council may make provision—

- (a) to charge and recover fees determined by the Welsh Ministers in respect of—
 - (i) applications for registration or for the restoration of entries in the Register; and
 - (ii) the retention of entries in the Register; and
- (b) for there to be exceptions and exemptions where fees are not charged.

Information to be supplied by an employer to the Council on request

4. An employer must notify the Council upon request of the details specified in Schedule 2 of any person who is employed by that employer on a date specified by the Council and who is required to be registered by virtue of regulations made under sections 14 to 16 of the 2014 Act.

Deduction of fee

5.—(1) The employer of a person to whom this regulation applies must secure that the fee is deducted from the payment of salary made to that person immediately following the notification date.

(2) This regulation applies to a person in respect of whom the employer has received notice (“a payment notice”) from the Council that they are required to secure that the fee is deducted from that person’s salary.

(3) A payment notice must specify the amount to be deducted taking into account the amount of subsidy determined in accordance with regulation 3(2).

(4) A payment notice may be issued to an employer only if the Council is satisfied that on the notification date the person in respect of whom the notice is issued has not already paid the fee and is—

- (a) registered on the Register, or
- (b) required to be so registered by virtue of regulations made under sections 14 to 16 of the 2014 Act.

Remittance of fees to the Council

6. The employer must within 14 days of the fee being deducted in accordance with regulation 5 remit that fee to the Council.

Information to be supplied to the Council by the employer with the fee

7. When remitting the fee the employer must notify the Council of the details specified in Schedule 2 of the person in relation to whom the fee is remitted.

Failure to discharge duty

8. Failure by a person to discharge a duty within a time limit specified in these Regulations does not relieve that person of that duty.

10 February 2015

Huw Lewis
Minister for Education and Skills, one of the
Welsh Ministers

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 1

Regulation 1

REGULATIONS REVOKED

<i>Regulations revoked</i>	<i>References</i>	<i>Extent of revocation</i>
General Teaching Council for Wales (Functions) Regulations 2000	S.I. 2000/1979 (W. 140)	Regulation 9
General Teaching Council for Wales (Fees) Regulations 2002	S.I. 2002/326 (W. 39)	Fully

SCHEDULE 2

Regulation 4

INFORMATION TO BE SUPPLIED TO THE COUNCIL

1. The full name of the person.
2. If known, any name by which the person was formerly known.
3. Whether the person is male or female.
4. The official registration number, if any, assigned to the person.
5. The name of the school or institution at which the person is employed.
6. The person's national insurance number.
7. The person's home address or other contact address.
8. The person's date of birth.
9. The person's telephone number and electronic mail address (if available).

EXPLANATORY NOTE

(This note is not part of the Regulations)

The General Teaching Council for Wales was re-named the Education Workforce Council ("the Council") by section 2 of the Education (Wales) Act 2014 ("the 2014 Act").

Section 12 of the 2014 Act allows the Welsh Ministers to make regulations in relation to the fees payable in connection with registration in the register established and maintained by the Council under section 9 of the 2014 Act ("the Register").

The fees payable are set out in regulation 3 which provides that for both school teachers and further education teachers the fee payable for the period commencing on 1 April 2015 and ending on 31 March 2016 is £45. Regulation 3 also provides that the Welsh Ministers may determine the amount by which those registration fees will be subsidised and requires them to publish the amount of that subsidy on the Welsh Government website.

Regulation 4 provides that an employer must on request by the Council supply the Council with the information set out in Schedule 2 where they employ a person who is required to be registered.

Regulation 5 requires an employer who has been notified by the Council to deduct a registration fee from a school teacher's or further education teacher's salary; and regulation 6 requires the employer to remit it to the Council within 14 days.

Regulation 7 requires the employer to supply to the Council the information in Schedule 2 in respect of the person to whom the fee is remitted when remitting the fee to them.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from the Practitioner Standards and Professional Development Division in the Department for Education and Skills.