

STATUTORY INSTRUMENTS.

S.I. No. 557 of 2016

TEACHING COUNCIL (REGISTRATION) (AMENDMENT)
REGULATIONS 2016

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The Teaching Council, in exercise of the powers conferred on it by section 4 and section 33 (as amended by section 14 of the Teaching Council (Amendment) Act 2015 (No. 31 of 2015)) of the Teaching Council Act 2001 (No. 8 of 2001) (as adapted by the Education and Science (Alteration of Name of Department and Title of Minister) Order 2010 (S.I. No. 184 of 2010), with the consent of the Minister for Education and Skills, hereby makes the following regulations:

1. (1) These Regulations may be cited as the Teaching Council (Registration) (Amendment) Regulations 2016.

(2) The Principal Regulations and these Regulations may be cited together as the Teaching Council (Registration) Regulations 2016.

2. These Regulations shall come into operation on 8 November 2016.

3. In these Regulations "Principal Regulations" means the Teaching Council (Registration) Regulations 2016 (S.I. No. 444 of 2016).

4. The Principal Regulations are amended by substituting for Regulation 15 the following:

"15. (1) An application for renewal of registration shall be made in such form as is provided from time to time by the Council.

(2) An application for renewal of registration shall contain the following information:

- (a) The applicant's personal details, which may include the applicant's personal public service number (PPSN);
- (b) The applicant's postal address for correspondence, contact email address and telephone number(s);
- (c) The name and address of the applicant's employer, if any;
- (d) Details of the applicant's current teaching post including any posts of responsibility held;
- (e) A completed declaration as to whether the applicant has resigned or retired from a teaching position on ill health or medical fitness grounds, as contained in the application for renewal;

Notice of the making of this Statutory Instrument was published in "Iris Oifigiuil" of 11th November, 2016.

- (f) Where the Council is carrying out an assessment regarding whether the applicant is a fit and proper person to have his or her registration renewed, evidence as to the applicant's good character, insofar as it relates to the applicant being a fit and proper person to teach, which may include:
- (i) a declaration of consent and any other information which is required by the Council to enable it to obtain a vetting disclosure in respect of the applicant, or a foreign vetting or police disclosure (if applicable),
 - (ii) a completed declaration of criminal convictions recorded against the applicant, as contained in the application for renewal,
 - (iii) a completed declaration as to disciplinary history, as contained in the application, along with details of any disciplinary process completed, of which the applicant has been the subject, in which adverse findings were made or as a result of which workplace restrictions were imposed on the applicant by any other professional body, regulatory body or employer in the State or elsewhere (including the equivalent of the Council in any other jurisdiction), as contained in the application for renewal,
 - (iv) a completed declaration as to any ongoing investigations by the Health Service Executive, the Child and Family Agency, An Garda Síochána or any other public authority in the State or elsewhere, as contained in the application for renewal,
 - (v) any other information that the Council may consider is necessary for the verification of the applicant's character, in addition to any submissions made by the applicant.
- (g) Any other information that the Council may require on the basis that it is necessary for the purpose of section 33 of the Act, as amended.

(3) The Council may seek additional information in relation to matters raised in declarations submitted by the registered teacher in accordance with paragraph (2) above.

(4) An application for renewal of registration shall be accompanied by such fee as may be prescribed by Council under section 23 of the Act and set out in the application for renewal.

(5) An application for renewal of registration shall be completed in full by the applicant, who shall declare that the details contained in the Register are correct.

(6) An application for renewal shall be made online or sent to the Council in the manner set out in the renewal notice.


(7) An applicant for renewal of registration may request an internal review of a decision of the Council to refuse registration or impose conditions on registration, without prejudice to the applicant's right of appeal under section 33(19) (inserted by section 14 of the Act of 2015) of the Act.

(8) A certificate of registration issued under section 33(24) (inserted by section 14 of the Act of 2015) of the Act shall contain, but shall not be limited to, the following information:


- (a) Name under which the registered teacher carries out his or her professional duties as a teacher;
- (b) Registration number;
- (c) Date of registration;
- (d) Date on which registration due for renewal;
- (e) Route of registration;
- (f) Alternative route by which the registered teacher could also have gained registration (if applicable);
- (g) Subject(s) or area(s) of study through which deemed eligible for registration, if applicable;
- (h) Registration status (full or conditional to include a statement of any conditions attached to registration) and the expiry date(s) of any conditions;
- (i) A statement that the teacher has obtained the required qualifications to satisfy the Council for registration under section 31 of the Act (as amended by section 10 of the Act of 2015) as a teacher in a recognised school;
- (j) where appropriate, the adverse findings and sanction from any disciplinary proceedings under Part 5 of the Act, including any measures confirmed by a panel under section 44(1A) of the Act (as amended by section 25 of the Act of 2015)."

5. Where, before the coming into operation of these Regulations, an application for renewal of registration under the Principal Regulations has been made but not yet determined, Regulation 15 of those Regulations shall continue to apply to the application as if it had not been replaced.

The Minister for Education and Skills consents to, and approves of, the making of the foregoing Regulations.

 GIVEN under the Official Seal of the Minister for Education and Skills,
7 November 2016.

RICHARD BRUTON,
Minister for Education and Skills.

 GIVEN under the seal of the Teaching Council,
7 November 2016.

GERRY QUINN,
Chairperson.

TOMAS Ó RUAIRC,
Director.

EXPLANATORY NOTE

(This note is not part of the Statutory Instrument and does not purport to be a legal interpretation.)

These Regulations are made under sections 4 and 33 of the Teaching Council Act 2001. They provide for a number of matters in relation to the renewal of registration of teachers on the Teaching Council's register.

These Regulations amend the Teaching Council (Registration) Regulations 2016 (S.I. No. 444 of 2016) by the substitution of Regulation 15.

These Regulations may be cited as the Teaching Council (Registration) (Amendment) Regulations 2016.

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