



New South Wales

Institute of Teachers Regulation 2005

under the

Institute of Teachers Act 2004

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Institute of Teachers Act 2004*.

ANDREW REFSHAUGE, M.P.,
Minister for Education and Training

Explanatory note

The objects of this Regulation are to prescribe the following matters under the *Institute of Teachers Act 2004 (the Act)*:

- (a) the additional particulars that are required to be included on the accreditation list in the roll of teachers in relation to each person who is accredited under the Act (clause 4),
- (b) that it is a condition of the accreditation of a person that the person supply the Institute of Teachers with certain details (clause 5),
- (c) annual accreditation fees (clause 6),
- (d) the tertiary qualifications that are relevant for the purposes of the definition of *new scheme teacher* in section 28 of the Act (clause 7),
- (e) that persons employed to teach for the first time during the period between 1 October 2004 and 24 January 2005 are new scheme teachers for the purposes of the Act (clause 8),
- (f) the manner of determining the period of work on a casual or part-time basis that is commensurate with the relevant period for persons employed on a full-time basis (clause 9),
- (g) the teaching qualifications that are relevant for the purposes of the definition of *transition scheme teacher* in section 34 of the Act (clause 10),
- (h) the eligibility of qualified persons who are employed by certain bodies to be enrolled on the electoral list (clause 11),

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Explanatory note

- (i) that the Institute of Teachers may enter into an arrangement for the purposes of sharing or exchanging information with any person or body responsible for registering or accrediting teachers under the law of another State or Territory or of a jurisdiction outside Australia (clause 12).

This Regulation is made under the *Institute of Teachers Act 2004*, including the provisions mentioned in the Regulation and section 52 (the general regulation-making power).

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Part 1 Preliminary

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Part 1 Preliminary

1 Name of Regulation

This Regulation is the *Institute of Teachers Regulation 2005*.

2 Commencement

This Regulation commences on 24 January 2005.

3 Definitions

(1) In this Regulation:

new scheme teacher has the same meaning as in Division 3 of Part 4 of the Act.

the Act means the *Institute of Teachers Act 2004*.

transition scheme teacher has the same meaning as in Division 4 of Part 4 of the Act.

(2) Notes included in this Regulation do not form part of this Regulation.

Part 2 Accreditation of teachers

4 Additional particulars on accreditation list

For the purposes of section 18 (1) (d) of the Act, the following are prescribed as the additional particulars that are required to be included on the accreditation list in relation to each person who is accredited:

- (a) contact details, including postal address, telephone number and email address (if any),
- (b) tertiary education qualifications,
- (c) details of current employer,
- (d) employment history,
- (e) language background other than English,
- (f) Aboriginal or Torres Strait Islander status,
- (g) history of professional development undertaken to maintain accreditation,
- (h) in the case of a person who is conditionally accredited—proposals to complete:
 - (i) a recognised teaching qualification, or
 - (ii) professional development that is equivalent to a recognised teaching qualification and is approved by the Institute.

5 Conditions of accreditation

- (1) It is a condition of the accreditation of a person under Part 4 of the Act that the person must, within 21 days of any change in any of the following particulars in relation to the person, supply the Institute with details of that change:
 - (a) contact details, including name, postal address, telephone number and email address (if any),
 - (b) tertiary education qualifications,
 - (c) details of current employer,
 - (d) the name of the teacher accreditation authority that accredits the person.
- (2) It is a condition of the accreditation of a person under Part 4 of the Act that the person must supply the Institute, on an annual basis, with details of:
 - (a) the professional development undertaken by the person to maintain accreditation, and

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Part 2 Accreditation of teachers

- (b) in the case of a person who is conditionally accredited—any change in relation to the proposal to complete:
 - (i) a recognised teaching qualification, or
 - (ii) professional development that is equivalent to a recognised teaching qualification and is approved by the Institute.

6 Annual accreditation fees

- (1) For the purposes of section 25 (2) of the Act, the following annual fees are prescribed:
 - (a) the annual fee for new scheme teachers who are accredited (other than at professional accomplishment level or professional leadership level) is \$80,
 - (b) the annual fee for transition scheme teachers who are accredited at professional competence level is \$80.
- (2) Any fee payable under section 25 of the Act is payable on or before an annual date as determined by the Institute.
- (3) The Institute may waive or refund part or all of any fee payable under section 25 of the Act if the person otherwise required to pay the fee was not accredited for the whole of the year for which the fee is payable.

7 Prescribed qualifications for new scheme teachers

For the purposes of paragraph (b) (i) of the definition of *new scheme teacher* in section 28 of the Act, the following tertiary or teaching qualifications are prescribed:

- (a) a degree from a higher education institution within Australia,
- (b) a degree from a higher education institution outside Australia that is recognised within the guidelines of the National Office of Overseas Skills Recognition.

8 Prescribed period applicable to new scheme teachers

For the purposes of paragraph (c) of the definition of *new scheme teacher* in section 28 of the Act, the prescribed period is the period that commences at the beginning of 1 October 2004 and ends at the beginning of 24 January 2005.

9 Determination of equivalent time for casual or part-time teachers

- (1) For the purposes of paragraph (b) (i) of the definition of *relevant period* in section 30 (5) of the Act, the period that is commensurate with the 3-year period for persons employed on a full-time basis is:

- (a) the period determined by the Institute on the application of the person concerned, or
 - (b) if the Institute does not determine such a period—the period of 5 years following the date on which the person was provisionally accredited under section 30 of the Act.
- (2) For the purposes of paragraph (b) (i) of the definition of *relevant period* in section 31 (7) of the Act, the period that is commensurate with the 4-year period for persons employed on a full-time basis is:
- (a) the period determined by the Institute on the application of the person concerned, or
 - (b) if the Institute does not determine such a period—the period of 6 years following the date on which the person was conditionally accredited under section 31 of the Act.

10 Transition scheme teachers

For the purposes of paragraph (b) (i) of the definition of *transition scheme teacher* in section 34 of the Act, the following teaching qualifications are prescribed:

- (a) teaching qualifications from a higher education institution within Australia,
- (b) teaching qualifications from a higher education institution outside Australia that is recognised within the guidelines of the National Office of Overseas Skills Recognition.

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Part 3 Miscellaneous

Part 3 Miscellaneous

11 Eligibility to be enrolled

For the purposes of section 17 (1) (c) (ii) of the Act, the following bodies are prescribed:

- (a) the NSW Teachers Federation,
- (b) the NSW/ACT Independent Education Union,
- (c) the Association of Independent Schools of NSW,
- (d) the Catholic Education Commission NSW or any Catholic Schools Office or Catholic Education Office located in a New South Wales diocese,
- (e) the approved authority for a system of non-government schools approved by the Minister under Part 7 of the *Education Act 1990*,
- (f) the Professional Teachers' Council NSW,
- (g) the faculty or school of education in any higher education institution approved by the Institute,
- (h) the Office of the Board of Studies,
- (i) any other educational body or association approved by the Institute.

12 Exchange of information

For the purposes of paragraph (e) of the definition of *relevant agency* in section 42 (5) of the Act, any person or body responsible for registering or accrediting teachers under the law of another State or Territory, or of a jurisdiction outside Australia, is prescribed.

BY AUTHORITY
