
W E L S H S T A T U T O R Y
I N S T R U M E N T S

2023 No. 1125 (W. 196)

EDUCATION, WALES

**The School Teachers' Incentive
Payments (Wales) Order 2023**

EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides that lump sum payments paid to school teachers in Wales under the Welsh in Education Teacher Retention Bursary are not treated as remuneration for the purpose of section 122(1) of the Education Act 2002 and so are not subject to the statutory pay framework and are not pensionable.

Guidance on the Welsh in Education Teacher Retention Bursary is published on the gov.wales website at <https://www.gov.wales/welsh-education-teacher-retention-bursary-guidance-applicants-html>.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with this Order. A copy can be obtained from the Pedagogy, Early Career and Welsh Practitioners Branch, Pedagogy, Leadership and Professional Learning Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

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2023 No. 1125 (W. 196)

EDUCATION, WALES

**The School Teachers' Incentive
Payments (Wales) Order 2023**

Made 25 October 2023

Laid before Senedd Cymru 27 October 2023

Coming into force 17 November 2023

The Welsh Ministers, in exercise of the power conferred on them by section 123(4)(a) of the Education Act 2002(1), make the following Order.

Title, coming into force, application and interpretation

1.—(1) The title of this Order is the School Teachers' Incentive Payments (Wales) Order 2023 and it comes into force on 17 November 2023.

(2) This Order applies to school teachers in Wales.

(3) In this Order—

“local authority in Wales” (“*awdurdod lleol yng Nghymru*”) has the meaning given by section 579(1) of the Education Act 1996(2);

“school teacher” (“*athro neu athrawes ysgol*”) has the meaning given by section 122(3) to (6) of the Education Act 2002(3).

Incentive payments to school teachers

2. A lump sum payment made to a school teacher under the Welsh in Education Teacher Retention

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- (1) 2002 c. 32. The functions of the Secretary of State were transferred to the Welsh Ministers by article 39(3) of the Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644).
- (2) “local authority in Wales” and other definitions were substituted for the definition of “local authority” by article 3(2)(b) of S.I. 2010/1158.
- (3) Sub-sections (3) and (4) of section 122 were amended by article 5(1) of, and paragraph 11 of Part 1 of Schedule 2 to, S.I. 2010/1158.

Bursary Scheme⁽¹⁾, by a local authority in Wales or the governing body of a school maintained by such an authority, is not to be treated as remuneration for the purpose of section 122(1) of the Education Act 2002.

Jeremy Miles

Minister for Education and Welsh Language, one of the Welsh Ministers

25 October 2023

⁽¹⁾ ISBN 978-1-83504-878-8.