WELSH STATUTORY INSTRUMENTS

2012 No. 1248 (W.153)

EDUCATION, WALES

The Recognised Persons (Monetary Penalties) (Determination of Turnover) (Wales) Order 2012

Made - - - -	*9 May 2012*
Coming into force - -	*9 May 2012*

The Welsh Ministers make the following Order in exercise of the powers conferred on them by section 32AB(2) of the Education Act 1997(**1**).

In accordance with section 54(2A) of that Act(**2**) a draft of this Order was laid before and approved by a resolution of the National Assembly for Wales.

Title, commencement and application

1.—(1) The title of this Order is the Recognised Persons (Monetary Penalties) (Determination of Turnover) (Wales) Order 2012.

(2) This Order comes into force on 9 May 2012 and applies in relation to Wales.

Interpretation

2.—(1) In this Order—

"the Act" ("*y Ddeddf*") means the Education Act 1997;

"business year" ("*blwyddyn fusnes*") means a period of six or more months in respect of which a recognised person publishes accounts or, if no such accounts have been published for the period, prepares accounts;

"date of notice" ("*dyddiad hysbysu*") means the date on which the Welsh Ministers give notice to a recognised person under section 32AA(6) of the Act of their intention to impose a monetary penalty on the recognised person;

"preceding business year" ("*blwyddyn fusnes flaenorol*") means the business year immediately preceding the date of notice;

(2) In this Order "applicable turnover" ("*trosiant cymwysadwy*") means any amounts, calculated in conformity with normal accounting practice in the United Kingdom, which are —

(**1**) 1997 c. 44; section 32AB was inserted by section 24 of the Education Act 2011 (c. 21).
(**2**) 1997 c. 44; section 54(2A) was inserted by section 24 of the Education Act 2011 (c. 21).