WELSH STATUTORY INSTRUMENTS

# 2010 No. 2413 (W.207) (C.118)

# EDUCATION, WALES

## The Apprenticeships, Skills, Children and Learning Act 2009 (Commencement No. 2 and Transitional Provisions) (Wales) Order 2010

*Made - - - - 30 September 2010*

The Welsh Ministers, in exercise of the powers conferred by section 269(3), (7) and (8) of the Apprenticeships, Skills, Children and Learning Act 2009 Act(**1**), make the following Order:

**Title and interpretation**

**1.**—(1) The title of this Order is the Apprenticeships, Skills, Children and Learning Act 2009 (Commencement No 2 and Transitional Provisions) (Wales) Order 2010.

(2) In this Order:

"the 1997 Act" ("*Deddf 1997*") means the Education Act 1997(**2**);

"the 2009 Act" ("*Deddf 2009*") means the Apprenticeships, Skills, Children and Learning Act 2009;

"the appointed day" ("*y diwrnod penodedig*") means 1 November 2010 except in relation to article 2(c) and (d) where it means 1 October 2010;

"Schedule 12" ("*Atodlen 12*") means Schedule 12 to the 2009 Act and "Schedule 16" ("Atodlen 16") means Schedule 16 to the 2009 Act.

**Appointed Day**

**2.** The following provisions come into force on the appointed day—

(a) sections 174 and 192 of the 2009 Act so far as they relate to the paragraphs 11, 13 and 27 of Schedule 12 (so far as relating to Wales); paragraphs 14 to 19 and 29 of Schedule 12; and the associated entries in Schedule 16;

(b) section 266 of the 2009 Act so far as it relates to—

(i) the following repeals specified in Part 4 of Schedule 16:

(aa) section 30(1C), (1D), (2) and (6) of the 1997 Act;

(**1**) 2009 c. 22.
(**2**) 1997 c. 44.

(bb) section 32(4A) of the 1997 Act;

(cc) section 32A(6) of the 1997 Act;

(dd) paragraph 5(6) of Schedule 17 to the Education Act 2002(**3**);

(ee) section 162(2) to (5) of the Education and Skills Act 2008(**4**);

(ii) the following repeals or revocations specified in Part 4 of Schedule 16 so far as relating to Wales:

(aa) sections 21 to 26A of the 1997 Act;

(bb) paragraph 214 of Schedule 30 to the School Standards and Framework Act 1998(**5**);

(cc) section 103(2) and (3) of and paragraph 69 of Schedule 9 to the Learning and Skills Act 2000(**6**);

(dd) in section 216(2) of the Education Act 2002, the words "paragraphs 1 to 4 and 9 of Schedule 17, and section 189 so far as relating to those paragraphs,";

(ee) paragraphs 1 to 4 and the italic heading before paragraph 1 in Schedule 17 to the Education Act 2002;

(ff) paragraph 69 of Schedule 21 to the Education Act 2002;

(gg) paragraph 7 of Schedule 1 to the Qualifications, Curriculum and Assessment Authority for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005(**7**);

(hh) paragraph 2 of Schedule 1 to the Childcare Act 2006(**8**) and the italic heading before it;

(ii) paragraph 21 of Schedule 14 to the Education and Inspections Act 2006(**9**);

(jj) sections 161 and 163 of the Education and Skills Act 2008;

(c) section 259 of the 2009 Act;

(d) the repeal specified in Schedule 16 in section 76(1)(b) of the Further and Higher Education Act 1992(**10**) of the words "in England".

**Recognition in respect of award or authentication of qualifications**

**3.**—(1) This article applies where immediately before the appointed day, a person is recognised (or is treated as recognised) by the Welsh Ministers under section 30(1)(cb) of the 1997 Act(**11**) and awards or authenticates a qualification which is accredited by the Welsh Ministers under section 30(1)(e) of the 1997 Act.

(**3**) 2002 c. 32.
(**4**) 2008 c. 25.
(**5**) 1998 c. 31.
(**6**) 2000 c. 21.
(**7**) S.I. 2005/3239 (W. 244).
(**8**) 2006 c. 21.
(**9**) 2006 c. 40.
(**10**) 1992 c. 13. Section 76(1)(b) was inserted by the Further Education and Training Act 2007 (c. 25) section 19(2).
(**11**) The functions of the Qualifications, Curriculum and Assessment Authority for Wales were transferred to the National Assembly for Wales by article 2 of the Qualifications, Curriculum and Assessment Authority for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3239). The functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of paragraphs 30(1) and 30(2)(a) of Schedule 11 to the Government of Wales Act 2006 (c. 32).