WELSH STATUTORY INSTRUMENTS

2009 No. 3174 (W.276) (C.141)

EDUCATION, WALES

The Learning and Skills (Wales) Measure 2009 (Commencement No. 1 and Transitional Provision) Order 2009

Made - - - - 2 December 2009

The Welsh Ministers, in exercise of the powers conferred upon them by sections 48(2) and 49(2) of the Learning and Skills (Wales) Measure 2009(**1**), make the following Order:

Title and interpretation

1.—(1) The title of this Order is the Learning and Skills (Wales) Measure 2009 (Commencement No. 1 and Transitional Provision) Order 2009.

(2) In this Order—

"the 2002 Act" ("*Deddf 2002*") means the Education Act 2002(**2**);

"the Measure" ("*y Mesur*") means the Learning and Skills (Wales) Measure 2009.

Appointed Days

2.—(1) The following provisions of the Measure come into force on 7 December 2009—

(a) section 1 (interpretation);

(b) section 4 (formation of local curricula for pupils in Key Stage 4) for the purpose of carrying out the preparatory work necessary to form the local curriculum in accordance with the provisions of section 4 when it comes fully into force and for the purposes of making regulations under section 116A(5) of the 2002 Act and giving directions under section 116A(6) of the 2002 Act;

(c) section 7 (pupils choices of local curriculum courses) for the purpose of making regulations under section 116D(2) of the 2002 Act;

(d) section 9 (head teacher's decision as to entitlement) for the purpose of making regulations under section 116F(3) of the 2002 Act;

(e) section 11 (head teacher's decision to remove entitlement) for the purpose of making regulations under section 116H(3) of the 2002 Act;

(f) section 12 (planning the local curriculum);

(**1**) 2009 nawm 1.
(**2**) 2002 c. 32.

(g) section 13 (delivery of local curriculum entitlements: joint-working);

(h) section 14 (joint-working: guidance and directions);

(i) section 18 (local curriculum: directions);

(j) section 20 (regulations and orders: procedure);

(k) section 40 (provision of services by maintained schools and further education institutions);

(l) section 41 (duties of governing bodies);

(m) section 42 (amendments to the Learning and Skills Act 2000);

(n) section 43 (the learning pathway document);

(o) section 44 (learning pathways: interpretation);

(p) section 45 (provision of curriculum information);

(q) section 47 (minor and consequential amendments) in so far as it relates to the provisions of the Schedule specified in paragraph (r);

(r) paragraphs 11 to 22 of the Schedule (minor and consequential amendments).

(2) The following provisions of the Measure come into force on 1 January 2010—

(a) section 2 (duty to implement general requirements);

(b) section 3 (basic curriculum for every maintained school in Wales);

(c) section 4 (formation of local curricula for pupils in Key Stage 4) fully;

(d) section 5 (local curricula: Welsh language);

(e) section 6 (authorities with more than one local curriculum);

(f) section 7 (pupils' choices of local curriculum courses) fully;

(g) section 8 (pupils' local curriculum entitlements);

(h) section 9 (head teacher’s decision as to entitlement) fully;

(i) section 10 (delivery of local curriculum entitlements);

(j) section 11 (head teacher’s decision to remove entitlement) fully.

(k) section 15 (power to amend learning domains);

(l) section 16 (application of local curriculum provisions to children who are not registered pupils);

(m) section 17 (application of local curriculum provisions to children who are registered pupils of special schools);

(n) section 19 (powers to alter or remove requirements for fourth key stage).

Transitional provision

3. Despite the coming into force of section 5 of the Measure on 1 January 2010, the requirement for a local education authority to provide a report under section 116B of the 2002 Act does not apply in relation to the end of the academic year 2009 to 2010.