WELSH STATUTORY INSTRUMENTS

2008 No. 1728 (W.168) (C.75)

EDUCATION, WALES

The Education Act 2002 (Commencement No. 12) (Wales) Order 2008

Made - - - - 1 July 2008

The Welsh Ministers, in exercise of the power conferred upon the National Assembly for Wales by section 216(3), (4) and (5) of the Education Act 2002(**1**) and now vested in them(**2**), make the following Order:

Title and interpretation

1. The title of this Order is the Education Act 2002 (Commencement No. 12) (Wales) Order 2008.

2. In this Order, unless otherwise stated, references to sections and Schedules are references to sections of, and Schedules to, the Education Act 2002.

Appointed day

3. The day appointed for the coming into force of the provisions specified in Part 1 (provisions coming into force in relation to Wales and England) and Part 2 (provisions coming into force in relation to Wales only) of the Schedule to this Order is 1 August 2008.

Jane Hutt
Minister for Children, Education, Lifelong Learning and Skills, one of the Welsh Ministers

1 July 2008

(**1**) 2002 c. 32.
(**2**) The functions of the National Assembly for Wales were transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

THE SCHEDULE Article 3

PART 1

Provisions coming into force on 1 August 2008 in relation to Wales and England

Provision	*Subject matter*
Section 99(2)	General requirements in relation to curriculum
Section 100(1)(b), (2)(b), (5)	Duty to implement general requirements
Section 101(3)(b)	Basic curriculum for every maintained school in Wales
Section 102	The foundation stage
Section 104	Curriculum requirements for foundation stage
Section 108(1)(a), (2), (6)	Establishment of the National Curriculum for Wales by order
Section 110	Implementation in respect of nursery schools etc

PART 2

Provisions coming into force on 1 August 2008 in relation to Wales

Provision	*Subject matter*
Section 205	Application of Part 5 of Education Act 1996 to nursery education
Section 215 in so far as relating to the provisions of Schedules 21 and 22 below	Minor and consequential amendments and repeals
Schedule 21, paragraph 46(6)	Consequential and minor amendments
Schedule 22 in Part 3, the repeal of — Education Act 1996, section 410	Repeals

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 1 August 2008 provisions of the Education Act 2002 specified in the Schedule to the Order. These are the provisions of Part 7 of the 2002 Act (the curriculum in Wales) that have not yet been commenced together with consequential amendments and repeals and they relate to the introduction of the foundation stage in Wales.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Education Act 2002 have been brought into force in relation to Wales by commencement order made before the date of this Order:

Provision	*Date of Commencement*	*S.I. No.*
Sections 14 to 17	31 March 2003	2002/3185 (W.301)
Section 18(1)	2 January 2008	2007/3611 (W.318)
Section 18(2)	31 March 2003	2002/3185 (W.301)
Section 19(6) (partially)	1 September 2003	2003/1718 (W.185)
Section 19 (1) to (7) (fully)	31 October 2005	2005/2910 (W.207)
Section 20 (1) to (3), (5)	31 October 2005	2005/2910 (W.207)
Sections 21 and 22	1 September 2004	2004/1728 (W.172)
Section 23	31 October 2005	2005/2910 (W.207)
Section 26	2 January 2008	2007/3611 (W.318)
Sections 27 and 28	1 September 2003	2003/1718 (W.185)
Section 29	1 September 2003	2003/1718 (W.185)
Section 30	1 September 2004	2004/1728 (W.172)
Section 31 (partially)	2 January 2008	2007/3611 (W.318)
(fully)	31 March 2008	2007/3611 (W.318)
Section 32	1 September 2004	2004/1728 (W.172)
Sections 33 and 34	31 October 2005	2005/2910 (W.207)
Section 35	1 April 2006	2006/879 (W.84)
Section 36	1 April 2006	2006/879 (W.84)
Section 37	1 April 2006	2006/879 (W.84)
Section 38	2 January 2008	2007/3611 (W.318)
Section 39(1) (partially)	1 September 2004	2004/1728 (W.178)
Section 39 (fully)	31 October 2005	2005/2910 (W.207)
Section 40 (partially)	1 September 2003	2003/1718 (W.185)
Section 40 (partially)	1 April 2006	2006/879 (W.84)
Section 41	4 December 2003	2003/2961 (W.278)
Section 42	4 December 2003	2003/2961 (W.278)
Section 43	1 November 2003	2003/1718 (W.185)
Section 46	1 December 2003	2003/2961 (W.278)
Section 49	19 December 2002	2002/3185 (W.301)
Section 50	31 May 2005	2005/1395 (W.109)

Provision	*Date of Commencement*	*S.I. No.*
Section 51 (partially)	9 January 2004	2003/2961 (W.278)
(partially)	31 March 2004	2004/912 (W.95)
(partially)	31 May 2005	2005/1395 (W.109)
Section 52 (partially)	9 January 2004	2003/2961 (W.278)
(fully)	31 October 2005	2005/2910 (W.207)
Section 53	31 October 2005	2005/2910 (W.207)
Sections 54 to 56	19 December 2002	2002/3185 (W.301)
Sections 57 to 59	2 January 2008	2007/3611 (W.318)
Sections 60 to 64	1 August 2003	2003/1718 (W.185)
Section 72	1 August 2004	2004/1728 (W.172)
Section 75 (partially)	19 December 2002	2002/3185 (W.301)
fully	2 January 2008	2007/3611 (W.318)
Sections 97 and 98	19 December 2002	2002/3185 (W.301)
Section 99(1)	19 December 2002	2002/3185 (W.301)
Section 100 (partially)	19 December 2002	2002/3185 (W.301)
Section 101 (partially)	19 December 2002	2002/3185 (W.301)
Section 103	19 December 2002	2002/3185 (W.301)
Sections 105 to 107	19 December 2002	2002/3185 (W.301)
Section 108 (partially)	19 December 2002	2002/3185 (W.301)
Section 109	19 December 2002	2002/3185 (W.301)
Sections 111 to 118	19 December 2002	2002/3185 (W.301)
Section 119	1 October 2002	2002/2439
Section 120(1) and (3) to (5)	1 October 2002	2002/2439
Section 120(2)	1 August 2003	2003/1667
Section 121	1 October 2002	2002/2439
Section 122 to 129	1 August 2003	2003/1667
Section 130 (partially)	1 October 2002	2002/2439
(fully)	1 August 2003	2003/1667
Section 131	19 December 2002	2002/3185 (W.301)
Sections 132 and 133	19 December 2002	2002/3185 (W.301)
Section 134 (partially)	19 December 2002	2002/3185 (W.301)
Section 135	19 December 2002	2002/3185 (W.301)
Sections 136 to 140	1 September 2003	2003/1718 (W.185)
Section 141	19 December 2002	2002/3185 (W.301)