WELSH STATUTORY INSTRUMENTS

2008 No. 1429 (W.148) (C.64)

EDUCATION, WALES

The Education and Inspections Act 2006 (Commencement No.1 and Saving Provisions) (Wales) Order 2008

Made - - - - 4 June 2008

The Welsh Ministers, in exercise of the powers conferred upon the National Assembly for Wales by sections 181 and 188(3) of the Education and Inspections Act 2006(**1**), and now vested in them(**2**), make the following Order:

Title and interpretation

1. The title of this Order is the Education and Inspections Act 2006 (Commencement No. 1 and Saving Provisions) (Wales) Order 2006.

2.—(1) In this Order —

"the 1998 Act" ("*Deddf 1998*") means the Schools Standards and Framework Act 1998(**3**); and

"the 2006 Act" ("*Deddf 2006*") means the Education and Inspections Act 2006.

(2) In this Order, unless otherwise stated, references to sections and Schedules are references to sections of and Schedules to the 2006 Act.

Appointed days

3.—(1) The provisions of the 2006 Act specified in Part 1 of the Schedule to this Order are to come into force on 30 June 2008 in relation to Wales.

(2) The provisions specified in Part 2 of the Schedule to this Order are to come into force on 30 June 2008.

(3) The provisions specified in Part 3 of the Schedule to this Order are to come into force on 1 September 2008 in relation to Wales.

(**1**) 2006 c. 40.
(**2**) By virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).
(**3**) 1998 c. 31.

Saving of current Codes of Practice

4.—(1) Despite the coming into force of section 40 of the 2006 Act and the amendments which that section makes to section 84 of the 1998 Act, the School Admissions Code of Practice(**4**) and section 84 of the 1998 Act as originally enacted in relation to that Code are to continue in force until the date appointed by the Welsh Ministers for the coming into force of a code for school admissions to replace that Code.

(2) Despite the coming into force of section 40 of the 2006 Act and the amendments which that section makes to section 84 of the 1998 Act, the School Admission Appeals Code of Practice(**5**) and section 84 of the 1998 Act as originally enacted in relation to that Code are to continue in force —

(a) until the date appointed by the Welsh Ministers for the coming into force of a code for school admission appeals to replace that Code, and

(b) in relation to any appeal made under section 94 of the 1998 Act where a notice of appeal has been given before the date appointed by the Welsh Ministers for the coming into force of a code for school admission appeals to replace that Code.

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

4 June 2008

(**4**) The School Admissions Code of Practice came into force on 1 April 1999, isbn – 07504 23331.
(**5**) The School Admission Appeals Code of Practice came into force on 1 September 1999, isbn – 07504 23528.

SCHEDULE Article 3

PART 1

Provisions coming into force on 30 June 2008 in relation to Wales

Provision	*Subject Matter*
Section 1	Duties in relation to high standards and fulfilment of potential
Section 37(1) and (2)(a)	Staff at foundation or voluntary schools with religious character
Section 39	General restriction on selection by ability
Section 43	Duty of governing body to implement decisions relating to admissions
Section 44	Prohibition on interviews
Section 45	Admission arrangements for schools with religious character; consultation and objections
Section 47	Objections to admission arrangements
Section 53	Schools with pre-1998 arrangements for selection by ability or aptitude
Section 166	Collaboration arrangements:— maintained schools and further education bodies
Section 184 in so far as it relates to the provisions of Schedule 18 below	Repeals
In Schedule 18, in Part 6 the repeal of— School Standards and Framework Act 1998, section 5, section 58(4) in section 89, in subsection (2) the word “and” at the end of paragraph (c), section 90(6), (7) and (10) section 99(1)	Repeals

PART 2

Provisions coming into force on 30 June 2008

Provision	*Subject Matter*
Section 156	Removal of HMICA’s duty to inspect performance of Welsh Ministers' functions relating to family proceedings
Section 175	Miscellaneous amendments relating to Wales
Section 184 in so far as it extends to the provisions of Schedule 18 below	Repeals