
DRAFT STATUTORY INSTRUMENTS

2018 No.

The Welsh Ministers (Transfer of Functions) Order 2018

Industrial Training Act 1982

19.—(1) Subject to this article, the functions of the Secretary of State under the Industrial Training Act 1982(1) (“the 1982 Act”), so far as they are exercisable in relation to Wales, are transferred to the Welsh Ministers.

(2) No functions are transferred in relation to the industrial training boards specified in section H2 of Schedule 7A to the Government of Wales Act 2006(2) (reserved matters: industrial training boards).

(3) The function under section 4 (winding up of boards)(3) of the 1982 Act of making provision for the imposition of a levy on employers in a revocation order made under section 1(4) of that Act for the purpose of raising an amount to meet the expenses of winding up a board and meeting its liabilities may be exercised by the Welsh Ministers only with the agreement of the Secretary of State.

(4) The functions under sections 11, 12, 13, 14 and 16(5) of the 1982 Act (which relate to levies) are not transferred.

(5) The function of giving a direction under section 15(1) or (2) (default powers in relation to proposals) of the 1982 Act (6) is transferred only in respect of proposals submitted to the Welsh Ministers under section 5(5) of the 1982 Act (functions of boards)(7).

(6) The requirements in sections 2(2)(a), 4(6)(a) and 8(1) of, and in paragraphs 4, 5 and 12 of Schedule 1 to, the 1982 Act to obtain Treasury approval cease to apply in so far as the functions under those provisions are exercised by the Welsh Ministers.

(7) Paragraph 7(1) of Schedule 1 to the 1982 Act applies in relation to industrial training boards established by the Welsh Ministers as if for from the opening words to “as he may specify may each”, there were substituted “The Welsh Ministers may”.

(1) 1982 c. 10.

(2) 2006 c. 32; Schedule 7A was inserted by Schedule 1 to the Wales Act 2017 (c. 4).

(3) There are amendments to section 4 which are not relevant to this instrument.

(4) There are amendments to section 1 which are not relevant to this instrument.

(5) There are amendments to sections 11, 12, 13, 14 and 16 which are not relevant to this instrument.

(6) Section 15(1) and (2) was amended by section 22(4) of, and paragraph 13 of Schedule 4 to, the Employment Act 1989 (c. 38).

(7) Section 5(5) was amended by sections 22(4) of, and paragraph 4 of Schedule 4 to, the Employment Act 1989.