

*These notes refer to the Education Act 2002 (c.32)  
which received Royal Assent on 24 July 2002*

# **EDUCATION ACT 2002**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS AND SCHEDULES**

#### **Part 11 – Miscellaneous and General**

##### **General**

##### *Section 216: Commencement*

417. Substantive provisions dealing with five subjects will come into force on Royal Assent. These are the powers of the Secretary of State to form companies, exclusions from PRUs, application of pay scale, student loans and LEA functions relating to qualifications.
418. [Section 216](#) identifies the sections which only the Secretary of State may commence (either because they only apply to England or because they are matters such as teachers pay and conditions where delegated powers have not been devolved to the NAW). It also identifies the sections which only the NAW may commence (because they only apply in Wales). All other sections may be commenced by the Secretary of State in relation to England and the NAW in relation to Wales. Commencement Orders (which do not require any parliamentary procedure – see [section 210\(5\)](#)) may make general or specified provision, different provision for different purposes, and may contain transitional and savings provisions.