

---

WELSH STATUTORY INSTRUMENTS

---

**2007 No. 854 (W.78)**

**EDUCATION, WALES**

**The Further Education Corporations (Publication of Draft Orders) (Wales) Regulations 2007**

*Made* - - - - 14 March 2007  
*Coming into force* - - 23 March 2007

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred by sections 51(3) and 89(4) of the Further and Higher Education Act 1992<sup>(1)</sup> and now vested in the National Assembly for Wales <sup>(2)</sup>:

**Title, commencement, interpretation and application**

1.—(1) The title of these Regulations is The Further Education Corporations (Publication of Draft Orders) (Wales) Regulations 2007.

(2) These Regulations shall come into force on 23 March 2007.

(3) In these Regulations a reference to a section is a reference to a section of the Further and Higher Education Act 1992.

(4) These Regulations apply in relation to Wales.

**Publication etc. of orders referred to in section 51(3)(a)**

2.—(1) The following matters are prescribed for the purposes of section 51(3) in relation to orders referred to in section 51(3)(a) (orders under section 16(1)) —

(a) the draft order must be published (in accordance with sub-paragraph (b) and paragraph (3) sub-paragraphs (a) to (c)) no later than two months before the date specified in it for the establishment of the body corporate;

(b) a summary of the draft order must be published —

(i) in at least one newspaper circulating in the area served, or to be served, by the institution to which the draft order relates,

(ii) by posting it in at least one conspicuous place within that area, and

---

(1) 1992 c. 13

(2) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672)

- (iii) in the case of a draft order which relates to an existing institution, by posting it in a conspicuous place at or near the main entrance to that institution.
- (2) The summary must state that a copy of the draft order may be obtained free of charge from the National Assembly for Wales.
- (3) The National Assembly for Wales must send a copy of the draft order to—
  - (a) the local education authority in whose area the institution is situated or is proposed to be situated; and
  - (b) the governing body of any institution within the further education sector, or of any school maintained by a local education authority which provides education suitable to the requirements of persons over compulsory school age who have not attained the age of nineteen years, in either case within the area served or to be served by the institution to which the draft order relates; and
  - (c) any other person who appears to the National Assembly for Wales to have an interest;
  - (d) and any person who requests it.

**Publication etc. of orders referred to in section 51(3)(b)**

- 3.—**(1) The matters in paragraph (2) are prescribed for the purposes of section 51(3) in relation to orders referred to in section 51(3)(b) (orders made under section 16(3) ).
- (2) The draft order must be published no later than two months before the date specified in it for the establishment of a body corporate by sending a copy to—
- (a) the governing body of the institution referred to therein;
  - (b) the local education authority, if any, which maintains the institution and, in the case of a voluntary or foundation school which has a religious character for the purposes of Part II of the School Standards and Framework Act 1998, the appropriate authority of any religious denomination concerned; and
  - (c) any person who appears to the National Assembly for Wales to have an interest.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(3)

14 March 2007

*J. Marek*  
The Deputy Presiding Officer of the National  
Assembly for Wales

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

These Regulations (which apply in relation to Wales) prescribe the time and manner of publication of draft orders proposed to be made by the National Assembly for the establishment of further education corporations by the National Assembly for Wales under sections 16 (1) and (3) of the Further and Higher Education Act 1992.