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WELSH STATUTORY INSTRUMENTS

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**2009 No. 108 (W.21)**

**AGRICULTURE, WALES**

**The School Milk (Wales) (Amendment) Regulations 2009**

<i>Made</i>	- - - -	<i>26 January 2009</i>
<i>Laid before the National Assembly of Wales</i>	- -	<i>27 January 2009</i>
<i>Coming into force</i>	- -	<i>18 February 2009</i>

The Welsh Ministers are designated<sup>(1)</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>(2)</sup> in relation to the common agricultural policy of the European Community.

The Welsh Ministers make the following Regulations in exercise of the powers conferred on them by section 2(2) of, and paragraph 1A of Schedule 2 to, the European Communities Act 1972<sup>(3)</sup>.

**Title, commencement and application**

1.—(1) The title of these Regulations is the School Milk (Wales) (Amendment) Regulations 2009 and they come into force on 18 February 2009.

(2) These Regulations apply in relation to Wales.

**Amendments to the School Milk (Wales) Regulations 2008**

2.—(1) The School Milk (Wales) Regulations 2008<sup>(4)</sup> are amended in accordance with paragraphs (2) to (3) below.

(2) For the definition of “key stage 2” (“*cyfnod allweddol 2*”) in regulation 2(1) substitute—  
““key stage 2” (“*cyfnod allweddol 2*”) has the meaning given to it by section 103 of the Education Act 2002;”

(3) In regulation 3(1) for the words “educational establishments” substitute the words “qualifying educational establishments”

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(1) By virtue of section 59(1) and paragraph 30 of Schedule 11 to the Government of Wales Act 2006, functions conferred on the National Assembly for Wales are exercisable by the Welsh Ministers.  
(2) 1972 c. 68. The Welsh Ministers are designated in relation to matters specified in Schedule 3 to the European Communities (Designation) (No 3) Order 2005 (S.I.2005/2766).  
(3) Inserted by section 28 of the Legislative and Regulatory Reform Act 2006 (c. 51).  
(4) S.I. 2008/2141 (W.190).

26 January 2009

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

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## EXPLANATORY NOTE

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

These Regulations make minor amendments to the School Milk (Wales) Regulations 2008<sup>(5)</sup>.

Regulation 2(2) amends the definition of “key stage 2”.

Regulation 2(3) provides that the Welsh Ministers may grant national aid in connection with the supply of qualifying milk products to pupils in qualifying educational establishments.

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<sup>(5)</sup> S.I. 2008/2141 (W.190).