
WELSH STATUTORY INSTRUMENTS

2009 No. 784 (W.70) (C.51)

EDUCATION, WALES

**The Education and Skills Act 2008 (Commencement
No. 1 and Savings) (Wales) Order 2009**

Made - - - - *24 March 2009*

The Welsh Ministers make the following Order in exercise of the powers conferred on them by section 173(3) of the Education and Skills Act 2008(1):

Title, application and interpretation

1.—(1) The title of this Order is the Education and Skills Act 2008 (Commencement No. 1 and Savings) (Wales) Order 2009.

(2) This Order applies in relation to Wales.

(3) In this Order—

“the Act” (“*y Ddeddf*”) means the Education and Skills Act 2008;

“the SSFA 1998” (“*DSFY 1998*”) means the School Standards and Framework Act 1998(2);

“school year” (“*blwyddyn ysgol*”) means the period commencing with 1 September and ending with the next 31 August.

Provisions coming into force on 31 March 2009

2. The following provisions of the Act come into force on 31 March 2009—

(a) section 162(1), (2), (3)(a), (3)(b) and (4) to (10).

3. The following provisions of the Act come into force, subject to article 4, on 31 March 2009—

(a) sections 150, 152 and 153;

(b) section 169(1) to the extent that it relates to the provisions in Schedule 1 specified below;

(c) section 169(2) to the extent that it relates to the repeals in Schedule 2 specified below;

(d) in Schedule 1, paragraphs 54, 55, 59(7), 66 and 67, and, so far as relating to those paragraphs, paragraph 53;

(e) in Schedule 2, the repeals so far as relating to sections 86 and 94 of the the SSFA 1998.

(1) 2008 c. 25.

(2) 1998 c. 31.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

4. Despite the coming into force of section 150 and the amendments and repeals to sections 86 and 94 of the SSFA 1998 made by sections 152 and 169 of, and Schedules 1 and 2, to the Act, sections 86 and 94 shall continue to apply without those amendments and repeals in relation to admission to the school year 2009-2010.

Provisions coming into force on 31 October 2009

5. The following provisions of the Act come into force on 31 October 2009—
- (a) section 162(3)(c).

24 March 2009

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

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the first commencement order made by the Welsh Ministers under the Education and Skills Act 2008 (“the Act”).

Article 2 brings into force on 31 March 2009 the majority of section 162 of the Act. This amends the functions of the Welsh Ministers in relation to external vocational and academic qualifications under section 30 of the Education Act 1997. It imposes new functions of developing and publishing criteria for the recognition of persons who wish to award or authenticate qualifications, and recognising persons who apply for recognition and meet the criteria. The remainder of section 162 is commenced by article 5.

Article 3 brings into force on 31 March 2009 sections 150, 152 and 153 of the Act which introduce new provisions about preferences relating to sixth form education from the school year 2010-2011 and makes other minor consequential school admissions amendments.

Article 4 provides that the amendments to sections 86 and 94 of the School Standards and Framework Act 1998 do not affect school admissions for the school year 2009-2010.