

**Changes to legislation:** Learning and Skills (Wales) Measure 2009, SCHEDULE is up to date with all changes known to be in force on or before 26 March 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULE

(introduced by section 47)

### MINOR AND CONSEQUENTIAL AMENDMENTS

#### *Learning and Skills Act 2000 (c. 21)*

1 Amend the Learning and Skills Act 2000 as follows.

#### Commencement Information

**I1** Sch. para. 1 in force at 19.1.2011 by S.I. 2011/97, art. 2(1)(p)

2 In the sections mentioned in paragraph 3 replace each reference to “National Assembly” with “Welsh Ministers”.

#### Commencement Information

**I2** Sch. para. 2 in force at 19.1.2011 by S.I. 2011/97, art. 2(1)(p)

3 The sections are 32(1), 33, 34, 35(2) and (5), 36(1), 37, 38(1), <sup>F1</sup>..., 40 and 41(1).

#### Textual Amendments

**F1** Word in Sch. para. 3 omitted (1.9.2014) by virtue of Further and Higher Education (Governance and Information) (Wales) Act 2014 (anaw 1), s. 11(2), Sch. 2 para. 6; S.I. 2014/1706, art. 3(h)

#### Commencement Information

**I3** Sch. para. 3 in force at 19.1.2011 by S.I. 2011/97, art. 2(1)(p)

4 In section 31—

- (a) in subsection (1) replace “National Assembly for Wales (the National Assembly)” with “Welsh Ministers”;
- (b) in subsection (3) replace “on it” with “on them”;
- (c) in subsection (3) replace the first reference to “National Assembly” with “Welsh Ministers”; and
- (d) in subsection (3)(d) replace “National Assembly thinks” with “Welsh Ministers think”.

#### Commencement Information

**I4** Sch. para. 4 in force at 19.1.2011 by S.I. 2011/97, art. 2(1)(p)

5 In section 32(3) replace—

- (a) “on it” with “on them”;
- (b) the first reference to “National Assembly” with “Welsh Ministers”; and
- (c) “National Assembly thinks” with “Welsh Ministers think”.

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**Commencement Information**

**I5** Sch. para. 5 in force at 19.1.2011 by S.I. 2011/97, art. 2(1)(p)

- 6 In section 34—
- (a) in subsection (2)(a) replace “itself” with “ themselves ”; and
  - (b) in subsection (3) replace “its power” with “ their power ”.

**Commencement Information**

**I6** Sch. para. 6 in force at 19.1.2011 by S.I. 2011/97, art. 2(1)(p)

- 7 In section 35—
- (a) in subsection (1) replace—
    - (i) “National Assembly itself provides” with “ Welsh Ministers themselves provide ”; and
    - (ii) “it may impose” with “ they may impose ”;
  - (b) in subsection (2) replace—
    - (i) “by it” with “ by them ”;
    - (ii) “it requests” with “ they request ”; and
    - (iii) “its functions” with “ their functions ”.

**Commencement Information**

**I7** Sch. para. 7 in force at 19.1.2011 by S.I. 2011/97, art. 2(1)(p)

- 8 In section 37—
- (a) in subsection (2) replace “its powers” with “ their powers ”; and
  - (b) in subsection (4) replace “its power” with “ their power ”.

**Commencement Information**

**I8** Sch. para. 8 in force at 19.1.2011 by S.I. 2011/97, art. 2(1)(p)

- 9 In section 40(5) replace “its decisions” with “ their decisions ”.

**Commencement Information**

**I9** Sch. para. 9 in force at 19.1.2011 by S.I. 2011/97, art. 2(1)(p)

- 10 In section 41—
- (a) in subsections (2) to (4) replace—
    - (i) each reference to “National Assembly is” with “ Welsh Ministers are ”;
    - (ii) each reference to “it cannot” with “ they cannot ”; and
    - (iii) each reference to “it also secures” with “ they also secure ”;
  - (b) in subsections (2) and (3) replace each reference to “National Assembly must” with “ Welsh Ministers must ”; and

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- (c) in subsection (4) replace “National Assembly may” with “ Welsh Ministers may ”.

**Commencement Information**

**I10** Sch. para. 10 in force at 19.1.2011 by S.I. 2011/97, art. 2(1)(p)

*Education Act 2002 (c. 32)*

- 11 Amend the Education Act 2002 as follows.

**Commencement Information**

**I11** Sch. para. 11 in force at 7.12.2009 by S.I. 2009/3174, art. 2(1)(r)

- 12 In the sections mentioned in paragraph 13 replace each reference to “National Assembly for Wales” with “ Welsh Ministers ”.

**Commencement Information**

**I12** Sch. para. 12 in force at 7.12.2009 by S.I. 2009/3174, art. 2(1)(r)

- 13 The sections are 100(6) and (8), 101(3), 102, 103(4), 105(4) and (6), 108(1) to (3), (6), (7) and (11), 111(1), (3), (5) and (6), 114(6) and 118.

**Commencement Information**

**I13** Sch. para. 13 in force at 7.12.2009 by S.I. 2009/3174, art. 2(1)(r)

- 14 In section 100(1) replace “The National Assembly for Wales shall exercise its functions” with “ The Welsh Ministers shall exercise their functions ”.

**Commencement Information**

**I14** Sch. para. 14 in force at 7.12.2009 by S.I. 2009/3174, art. 2(1)(r)

- 15 In sections 108(1) and (3) replace each reference to “the Assembly considers” with “ the Welsh Ministers consider ”.

**Commencement Information**

**I15** Sch. para. 15 in force at 7.12.2009 by S.I. 2009/3174, art. 2(1)(r)

- 16 In sections 111(5) and 118 replace “the Assembly” with “ the Welsh Ministers ”.

**Commencement Information**

**I16** Sch. para. 16 in force at 7.12.2009 by S.I. 2009/3174, art. 2(1)(r)

- 17 In section 111(5) replace “specified by it” with “ specified by them ”.

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**I17** Sch. para. 17 in force at 7.12.2009 by [S.I. 2009/3174](#), [art. 2\(1\)\(r\)](#)

18 In section 114(6) replace “appears to it” with “ appears to them ”.

**Commencement Information**

**I18** Sch. para. 18 in force at 7.12.2009 by [S.I. 2009/3174](#), [art. 2\(1\)\(r\)](#)

19 In section 117 replace—

- (a) “the National Assembly for Wales proposes” with “ the Welsh Ministers propose ”;
- (b) “the Assembly” with “ the Welsh Ministers ”; and
- (c) “the Assembly considers” with “ the Welsh Ministers consider ”.

**Commencement Information**

**I19** Sch. para. 19 in force at 7.12.2009 by [S.I. 2009/3174](#), [art. 2\(1\)\(r\)](#)

20 In section 118 replace—

- (a) “it may require” with “ they may require ”; and
- (b) “the Assembly's” with “ the Welsh Ministers' ”.

**Commencement Information**

**I20** Sch. para. 20 in force at 7.12.2009 by [S.I. 2009/3174](#), [art. 2\(1\)\(r\)](#)

*Government of Wales Act 2006 (c. 32)*

21 Amend the Government of Wales Act 2006 as follows.

**Commencement Information**

**I21** Sch. para. 21 in force at 7.12.2009 by [S.I. 2009/3174](#), [art. 2\(1\)\(r\)](#)

22 In Table 2 in paragraph 35 of Schedule 11—

- (a) in the “function” column, omit the entries “Section 102 of the Education Act 2002 (c. 32).” and “Section 108(2)(a) of that Act.”;
- (b) in the “description” column, omit the entries alongside those omitted from the “function” column by paragraph (a); and
- (c) in the “function” column, replace “Section 139(1) of that Act.” with— “ Section 139(1) of the Education Act 2002 (c. 32). ”

**Commencement Information**

**I22** Sch. para. 22 in force at 7.12.2009 by [S.I. 2009/3174](#), [art. 2\(1\)\(r\)](#)

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**Changes and effects yet to be applied to the whole Measure associated Parts and Chapters:**

- Measure text amended by [S.I. 2010/1148 art. 3\(2\)](#)