



Learning and Skills Act 2000

2000 CHAPTER 21

PART II

NATIONAL COUNCIL FOR EDUCATION AND TRAINING FOR WALES

Miscellaneous

47 Directions

- (1) The National Assembly may give directions to the Council; and the directions may include any provisions described in subsections (2) to (4).
- (2) Directions may contain—
 - (a) objectives which the Council should achieve in seeking to carry out its functions;
 - (b) time limits within which the Council should achieve the objectives;
 - (c) provision relating to the management of the Council.
- (3) Subsection (4) applies if the National Assembly is satisfied that the Council—
 - (a) has failed to discharge a duty imposed by or under any Act, or
 - (b) has acted or is proposing to act unreasonably with respect to the exercise of a power conferred or the performance of a duty imposed by or under any Act.
- (4) In such a case directions may contain such provision as the National Assembly thinks fit as to the exercise of the Council's powers and performance of its duties.
- (5) Directions may contain provision described in subsection (4) despite any enactment making the exercise of a power or performance of a duty contingent on the Council's opinion.
- (6) Directions may not concern the provision of financial resources in respect of activities carried on by a particular person or persons.
- (7) If the National Assembly asks the Council to do so, it must advise the National Assembly on the formulation of objectives and time limits.

(8) The Council must comply with any directions given to it by the National Assembly.

48 Committees

Schedule 5 contains provisions about committees.

49 Grants to Council

- (1) The National Assembly may make grants to the Council of such amounts and subject to such conditions as the National Assembly thinks fit; and the conditions may include any provisions described below.
- (2) The conditions may set the Council's budget for any of its financial years.
- (3) The conditions may—
 - (a) require the Council to use the grants for specified purposes;
 - (b) require the Council to comply with specified requirements in respect of every person (or every person of a specified class or description) in securing the provision of specified financial resources to such persons;
 - (c) enable the National Assembly to require the repayment, in whole or in part, of sums paid by it if any condition imposed is not complied with;
 - (d) require the payment of interest in respect of any period during which a sum due to the National Assembly in accordance with any condition remains unpaid.
- (4) Requirements which may be imposed under subsection (3)(b) include in particular requirements that, if the Council itself provides specified financial resources, it is to impose specified conditions.
- (5) The National Assembly may not impose conditions which relate to the Council's securing of the provision of financial resources to a particular person or persons.

50 Annual report

- (1) As soon as is reasonably practicable after the end of each financial year of the Council it must prepare a report on its activities in that year and send a copy of the report to the National Assembly.
- (2) A report—
 - (a) must be in such form and contain such information as the National Assembly may specify in directions to the Council;
 - (b) must set out any other directions given to the Council under this Part in the financial year to which the report relates.
- (3) Following receipt of a copy of a report under this section the National Assembly must arrange for copies of it to be published in such manner as it thinks appropriate.

51 Council's financial year

A financial year of the Council is—

- (a) the period starting with the date on which it is established and ending with the second 31 March following that date;
- (b) each successive period of 12 months.