



Education Act 2005

2005 CHAPTER 18

PART 1

SCHOOL INSPECTIONS AND OTHER INSPECTIONS BY SCHOOL INSPECTORS

CHAPTER 7

SUPPLEMENTARY

62 Power of Assembly to change inspection framework for Wales

- (1) The Assembly may by order—
 - (a) make provision in relation to Wales corresponding to—
 - (i) that made in relation to England by any English inspection provision, or
 - (ii) that which could be made in relation to England by regulations under any English inspection provision,
 - (b) repeal any Welsh inspection provision which does not correspond to an English inspection provision, and
 - (c) make such provision as the Assembly thinks fit in connection with any provision made by virtue of paragraph (a) or (b).
- (2) In relation to section 39 (statement to be prepared by appropriate authority for maintained school), the power conferred by paragraph (b) of subsection (1) includes power, instead of repealing the section, to limit the cases in which it applies.
- (3) The powers conferred by paragraphs (a) and (c) of subsection (1) include power to amend or repeal any enactment (whenever passed or made), including any provision of this Act.
- (4) For the purposes of this section—
 - (a) an English inspection provision is any provision of—
 - (i) Chapters 1 and 2,

Status: Point in time view as at 01/06/2010. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Education Act 2005, Section 62. (See end of Document for details)

- (ii) sections 48 and 49 (denominational education in England),
 - (iii) Schedule 26 to the School Standards and Framework Act 1998 (c. 31) (nursery education), so far as relating to England, or
 - (iv) sections 162A and 162B of the Education Act 2002 (c. 32) (independent schools in England),
 - (b) a Welsh inspection provision is any provision of —
 - (i) Chapters 3 and 4,
 - (ii) section 50 and Schedule 6 (denominational education in Wales),
 - (iii) section 52 (provision of inspection services by [^{F1}local authorities] in Wales),
 - (iv) Schedule 26 to the School Standards and Framework Act 1998 (nursery education), so far as relating to Wales, or
 - (v) sections 163 and 164 of the Education Act 2002 (independent schools in Wales).
- (5) In this section “enactment” includes an enactment comprised in subordinate legislation, within the meaning of the Interpretation Act 1978 (c. 30).

Textual Amendments

- F1** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 13(3)**

Status:

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