



# Education and Skills Act 2008

## 2008 CHAPTER 25

### PART 5

#### MISCELLANEOUS AND GENERAL

### CHAPTER 1

#### POWERS OF NATIONAL ASSEMBLY FOR WALES

#### **149 Powers of National Assembly for Wales**

- (1) In Part 1 of Schedule 5 to the Government of Wales Act 2006 (c. 32) (Assembly Measures), field 5 (education and training) is amended as follows.
- (2) After matter 5.4 insert—

*“Matter 5.4A*

The regulation of—

  - (a) schools that are not maintained by local education authorities;
  - (b) relevant independent educational institutions.”
- (3) In matter 5.15 after “The inspection of—” insert—

“(za) schools;

(zb) relevant independent educational institutions;”.
- (4) In that matter, for paragraph (b) substitute—

“(b) pre-16 education or training, or post-16 education or training, provided otherwise than by institutions within paragraphs (za) to (a);”.
- (5) In matter 5.16 for “, any of the kinds of education, training or services mentioned in matter 5.15.” substitute “—

  - (a) pre-16 education or training;

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*Status: This is the original version (as it was originally enacted).*

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- (b) post-16 education or training;
  - (c) the training of teachers and specialist teaching assistants for schools;
  - (d) services of the kinds mentioned in matter 5.8.”
- (6) After the definition of “post-16 training” insert—
- ““pre-16 education or training” means education or training suitable to the requirements of persons who are of or below compulsory school age;
  - “relevant independent educational institution” means an institution other than a school which—
    - (a) provides part-time education for one or more persons of compulsory school age (“part-time students”) whether or not it also provides full-time education for any person, and
    - (b) would be an independent school but for the fact that the education provided for the part-time student or students is part-time rather than full-time.
- For the purposes of the above definition of “relevant independent educational institution”, an institution provides “part-time” education for a person if—
- (a) it provides education for the person, and
  - (b) the education does not amount to full-time education.”