
EXPLANATORY NOTE

(This note does not form part of the Order)

This Order brings into force on 1st April 2002 those provisions of the Learning and Skills Act 2000 specified in Part I of the Schedule to this Order. It also brings into force on 1st September 2002 those provisions of that Act specified in Part II of the Schedule to this Order.

The effect of the provisions specified in Part I of the Schedule is explained below.

Section 36 gives the National Council for Education and Training for Wales (“the National Council”) the power to make grants to a local education authority for education provided by schools for those above compulsory school age.

Section 113 brings into effect Schedule 7, which contains powers and duties relating to inadequate 6th forms. In particular, it empowers the National Council to publish proposals for discontinuance of maintained 6th form provision following two adverse inspection reports. It also provides for a procedure for dealing with objections which must be followed before any such proposals can be implemented.

Section 140 ((1)—(2) and (4) to (6)) imposes a duty on the National Assembly in certain circumstances to arrange for an assessment of a person for whom a statement of special needs is maintained. The assessment must be made during that person’s last year of compulsory schooling.

Schedules 9 and 11 respectively contain consequential amendments and repeals.

The effect of the provision specified in Part II of the Schedule is explained below.

Section 97 applies to an institution or employer, which provides courses for those aged 19 and over, and is financed by a local education authority or the National Council. It places such an institution or employer under a duty not to make any payment in respect of an external qualification unless that qualification has been approved by the National Assembly.