
EXPLANATORY NOTE

(This note is not part of the Order)

Section 28 of the Government of Wales Act 1998 gives the National Assembly for Wales (“the National Assembly”) powers with respect to the structure of certain public bodies in Wales listed in Schedule 4 to that Act.

It provides that the National Assembly may transfer the functions of some of those bodies to another such body, to a Welsh local authority or to itself; and that it may abolish such bodies where all their functions have been transferred.

This Order transfers the functions of the Qualifications, Curriculum and Assessment Authority for Wales (“ACCAC”) to the National Assembly, provides for the transfer of staff from ACCAC to the National Assembly and makes appropriate consequential, incidental, transitional and supplementary provisions.

Article 2 provides for the transfer of ACCAC’s functions to the National Assembly.

Article 3 provides for the transfer of ACCAC’s staff and applies the Transfer of Undertakings (Protection of Employment) Regulations 1981.

Article 4 provides for the transfer of property, rights and liabilities.

Article 5 provides for continuity in the exercise of functions.

Article 6 provides that upon the transfer of the functions, ACCAC is abolished.

Articles 7 and 8 make certain transitional provisions including in relation to the preparation by the National Assembly of accounts for ACCAC for the financial year 2005—2006.

Article 9 provides for consequential amendments to primary and subordinate legislation.

A regulatory appraisal has been prepared and copies are available from the National Assembly for Wales, Cathays Park, Cardiff.