
WELSH STATUTORY INSTRUMENTS

2009 No. 1027 (W.89) (C.60)

EDUCATION, WALES

**The Education and Inspections Act 2006
(Commencement No. 3) (Wales) Order 2009**

Made - - - - *20 April 2009*

The Welsh Ministers, in exercise of the powers conferred upon the National Assembly for Wales by sections 181 and 188(3) of the Education and Inspections Act 2006⁽¹⁾, and now vested in them⁽²⁾, make the following Order:

Title and interpretation

1. The title of this Order is the Education and Inspections Act 2006 (Commencement No. 3) Order 2009.
2. In this Order “the 2006 Act” (“*Deddf 2006*”) means the Education and Inspections Act 2006.

Appointed day

3. The following provisions of the 2006 Act come into force on 1 September 2009:
 - (a) section 4 (duty to identify children not receiving education);
 - (b) section 164 (information about children receiving funded education outside school);
 - (c) section 184 (repeals) to the extent it relates to the provision set out in paragraph (d);
 - (d) in Part 6 of Schedule 18, the repeal in the Education Act 1996 in section 437(8) of the definition of “suitable education”.

20 April 2009

Jane E. Hutt
Minister for Children, Education, Lifelong
Learning and Skills, one of the Welsh Ministers

(1) 2006 c. 40. Section 181 is amended by section 23 of the [Learner Travel \(Wales\) Measure 2008](#) (2008 nawm 2).
(2) By virtue of paragraph 30 of Schedule 11 to the [Government of Wales Act 2006](#) (c. 32).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings sections 4 and 164 of the Education and Inspections Act 2006 into force on 1 September 2009.

Section 4 inserts a new section 436A into the Education Act 1996 which requires local education authorities to make arrangements to establish the identities of children in their area who are not receiving suitable education.

Section 164 inserts a new section 537B into the Education Act 1996. This allows the Welsh Ministers to make regulations requiring information to be provided about children receiving education outside school which is funded by a local education authority and makes provision about sharing such information.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the 2006 Act have been brought into force in relation to Wales by Commencement Orders made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1	30 June 2008	2008/1429 (W.148)
Section 37(1) and (2)(a)	30 June 2008	2008/1429 (W.148)
Section 38	1 September 2008	2008/1429 (W.148)
Section 39	30 June 2008	2008/1429 (W.148)
Section 40	1 September 2008	2008/1429 (W.148)
Sections 43 — 45	30 June 2008	2008/1429 (W.148)
Section 47	30 June 2008	2008/1429 (W.148)
Section 53	30 June 2008	2008/1429 (W.148)
Section 55	9 February 2009	2009/49 (W.17)
Section 156	30 June 2008	2008/1429 (W.148)
Section 166	30 June 2008	2008/1429 (W.148)
Section 175	30 June 2008	2008/1429 (W.148)
Section 184 in part	30 June 2008	2008/1429 (W.148)
Section 184 in part	1 September 2008	2008/1429 (W.148)
Schedule 17	30 June 2008	2008/1429 (W.148)
Schedule 18 in part	30 June 2008	2008/1429 (W.148)
Schedule 18 in part	1 September 2008	2008/1429 (W.148)

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Various provisions of the 2006 Act have been brought into force in relation to England by the following Statutory Instruments: S.I. [2006/2990](#) as amended by S.I. [2008/54](#), S.I. [2006/3400](#), S.I. [2007/935](#) (as amended by S.I. [2007/1271](#)), S.I. [2007/1271](#), S.I. [2007/1801](#), S.I. [2007/3074](#) and S.I. [2008/1971](#).

See also section 188(1) and (2) for the provisions that came into force on 8 November 2006 (date of Royal Assent) and 8 January 2007 (two months thereafter).