



Education (Wales) Act 2014

2014 anaw 5

PART 4

GENERAL PROVISION

45 Status as an Education Act

This Act is to be included in the list of Education Acts set out in section 578 of the 1996 Act.

46 Ancillary provision

- (1) The Welsh Ministers may by order make such incidental, consequential, supplemental, transitional, transitory or saving provision as they consider appropriate for the purposes of, or in connection with, giving full effect to any provision made by or under this Act.
- (2) An order under this section may modify this or any other enactment.

47 Orders and regulations

- (1) Any power of the Welsh Ministers to make an order or regulations under this Act (except an order under section 50) is exercisable by statutory instrument and includes power to—
 - (a) make such incidental, consequential, supplemental, transitional, transitory or saving provision as the Welsh Ministers consider necessary or expedient for the purposes of, or in connection with, this Act, and
 - (b) make different provision for different purposes including, in particular, making different provision for different categories of registration.
- (2) A statutory instrument which contains (alone or with other provision)—
 - (a) an order under section 5;
 - (b) an order under section 10(6);
 - (c) regulations under section 12;

Status: This is the original version (as it was originally enacted).

- (d) an order under section 46 which includes provision which adds to, amends or omits the text of an Act of Parliament or a Measure or Act of the National Assembly for Wales;
 - (e) an order under paragraph 3 of Schedule 1 or paragraph 2 of Schedule 2, may not be made unless a draft of the instrument has been laid before and approved by resolution of the National Assembly for Wales.
- (3) Any other statutory instrument containing an order or regulations under this Act (except an order under section 50) is to be subject to annulment in pursuance of a resolution of the National Assembly for Wales.

48 Minor and consequential amendments and repeals

Schedule 3 (which makes minor and consequential amendments and repeals) has effect.

49 General interpretation

- (1) In this Act, unless the context requires otherwise—
- “1996 Act” (“*Deddf 1996*”) means the [Education Act 1996 \(c. 56\)](#);
 - “1998 Act” (“*Deddf 1998*”) means the [Teaching and Higher Education Act 1998 \(c. 30\)](#);
 - “2002 Act” (“*Deddf 2002*”) means the [Education Act 2002 \(c. 32\)](#);
 - “2013 Act” (“*Deddf 2013*”) means the [School Standards and Organisation \(Wales\) Act 2013 \(anaw 1\)](#);
 - “enactment” (“*deddfiad*”) means a provision contained in any of the following (whenever enacted or made)—
 - (a) an Act of Parliament;
 - (b) a Measure or an Act of the National Assembly for Wales;
 - (c) subordinate legislation within the meaning of the Interpretation Act 1978 (including subordinate legislation made under an Act of Parliament or under a Measure or an Act of the National Assembly for Wales);
 - “modify” (“*addasu*”), in relation to an enactment, includes amend or repeal;
 - “specified” (“*penodedig*”) means specified in an order or regulations made under this Act.
- (2) Other expressions, if used in this Act and the 1996 Act, have the same meaning in this Act as in the 1996 Act.
- (3) But where an expression is given for the purposes of any provision of this Act a meaning different from that given to it for the purposes of the 1996 Act, that meaning is to apply for the purposes of that provision instead of the one given for the purposes of the 1996 Act.

50 Commencement

- (1) The following provisions come into force on the day on which this Act receives Royal Assent—
- (a) section 1;
 - (b) section 45;

- (c) section 46;
 - (d) section 47;
 - (e) section 49;
 - (f) this section;
 - (g) section 51.
- (2) Section 42 comes into force on the day on which this Act receives Royal Assent but only to the extent necessary for regulations to be made under section 32A(6) or 32B(4) of the 2002 Act.
- (3) Paragraph 2 of Part 1 of Schedule 3 comes into force at the end of the period of two months beginning with the day on which this Act receives Royal Assent.
- (4) The other provisions of this Act come into force on such day as the Welsh Ministers may by order made by statutory instrument appoint.
- (5) An order under subsection (4) may—
- (a) appoint different days for different purposes, and
 - (b) include such transitional, transitory or saving provision as the Welsh Ministers consider necessary or expedient.

51 Short title

The short title of this Act is the Education (Wales) Act 2014.