

# **LEARNER TRAVEL (WALES) MEASURE 2008**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### ***Section 15 – Guidance and directions***

50. When exercising any of their functions under the Measure, subsection (1) requires local authorities and governing bodies of maintained schools and further education institutions to have regard to guidance given from time to time by the Welsh Ministers.
51. Furthermore, Welsh Ministers may require authorities to make learner travel arrangements, or when making them, to comply with a direction (subsections (2) and (3)). Such directions can be given to one or more authorities or generally under subsection (4). This direction power is similar to that provided by sections 509(1) and 509AA(9) of the Education Act 1996. It permits Welsh Ministers to direct on individual cases or about more general policy matters. The power may be exercised irrespective of whether a local authority is in default of its duties. It does not take the place, or affect, the more general powers of direction that Welsh Ministers have under sections 496-497A of the Education Act 1996.