

# **EDUCATION (WALES) MEASURE 2009**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 2 – Miscellaneous and General**

##### **General**

##### ***Section 23 – Minor and consequential amendments***

92. This section gives effect to the Schedule which contains minor and consequential amendments.

##### ***Section 24 – Orders and regulations***

93. Subsection (1) provides that any power of the Welsh Ministers to make regulations under the Measure is exercisable by statutory instrument.
94. Subsection (2) specifies that any power of the Welsh Ministers to make an order or regulations under the Measure includes a power to make different requirements for different areas, to make provision generally or for specific cases, and to make incidental, supplementary, transitory, transitional or savings provisions
95. Subsection (3) provides that regulations that allow for the rights given to a child under this Measure to be piloted are subject to the negative resolution procedure.
96. Subsection (4) requires that any order exercising the powers given to the Welsh Ministers by section 18 or 20 must be laid before and approved by resolution of the National Assembly for Wales.

##### ***Section 25 – Orders made under section 18: procedure***

97. This section sets out the procedure for orders made under section 18 of the Measure. It requires the Welsh Ministers, when making an order under section 18, to consult interested persons affected by the proposals, have regard to the findings in the pilot report and consider any representation made by the National Assembly for Wales.

##### ***Section 26 - Commencement***

98. This section sets out the arrangements for commencement of the Measure in relation to sections 24, 25, 26, 27 and paragraphs 10 to 12 of the Schedule. All other remaining provisions of the Measure come into force when commenced by the Welsh Ministers by order.

##### ***Section 27 – Short title***

99. This section establishes the Measure's title as the 'Education (Wales) Measure 2009