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STATUTORY INSTRUMENTS

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**2007 No. 1388**

**CONSTITUTIONAL LAW**

DEVOLUTION, WALES

The Government of Wales Act 2006 (Consequential  
Modifications and Transitional Provisions) Order 2007

Made - - - - - 1st May 2007  
Coming into force in accordance with Articles 1(2)  
and (3)

THE GOVERNMENT OF WALES ACT 2006  
(CONSEQUENTIAL MODIFICATIONS AND  
TRANSITIONAL PROVISIONS) ORDER 2007

1. Citation and commencement
  2. Extent
  3. Modifications
  4. Transitional Provisions
- Signature

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SCHEDULE 1 — MODIFICATIONS OF ENACTMENTS

1. *European Communities Act 1972*
2. *Sex Discrimination Act 1975*
3. (1) Section 10A (offices and posts to which section 10B...
4. Section 21A(9) (public authorities) is amended as follows—
5. In section 23A (discrimination by Further Education and Higher Education...
6. (1) Section 25A (general duty: post-16 education and training etc)...
7. (1) Section 76A (public authorities: general statutory duty) is amended...
8. Section 76B(3) (specific duties) is amended as follows—
9. In section 76E(3) (codes of practice) for “National Assembly for...
10. *Race Relations Act 1976*
11. In section 19C(5) (exceptions or further exceptions from section 19B...
12. (1) Section 71B (general statutory duty: Scotland and Wales) is...
13. (1) Section 71C (general statutory duty: codes of practice) is...

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14. In section 76(15)(b) (government appointments outside section 4) for “National...
15. In section 76ZA(9)(b) (other office holders), after sub-paragraph (vii) insert —...
16. In Part 1 of Schedule 1A (bodies and other persons...
17. ***Representation of the People Act 1983***
18. *Mental Health Act 1983*
19. *Companies Act 1985*
20. *Business Names Act 1985*
21. *Local Government Finance Act 1988*
22. In section 76 (interpretation), after subsection (6) insert—
23. In section 84E (1) (revenue support grant:Wales), for “National Assembly...
24. (1) Section 84F (determination of grant) is amended as follows....
25. (1) Section 84G (local government finance reports) is amended as...
26. For section 84H (effect of publication of local government finance...
27. For section 84J (calculation of grant payable to receiving authorities)...
28. (1) Section 84K (payment of grant to receiving authorities) is...
29. For section 84L (amending reports) substitute— Amending reports (1) Where the Welsh Ministers have made a local government...
30. (1) Section 84M (recalculation of grant following amending report) is...
31. (1) Section 84N (payment of grant following amending report) is...
32. (1) Section 84P (information deadlines) is amended as follows.
33. (1) Before section 85 (and the heading “Additional grant”) insert—...
34. After section 86 insert— Additional grant: Wales Additional grant: Wales...
35. In section 87 (transport grants), after subsection (6) insert—
36. In section 88A (council tax grants), after subsection (5) insert—...
37. In section 88B (special grants), after subsection (9) insert—
38. After section 88B insert— Special grants: Wales (1) The Welsh Ministers may pay a grant (in this...
39. (1) Schedule 7 (non-domestic rating: multipliers) is amended as follows....
40. (1) Schedule 8 (non-domestic rating: pooling) is amended as follows....
41. *Local Government Finance Act 1992*
42. In section 52J(10)(a) (duty of designated precepting authority), after “section...
43. In section 52U(13)(a) (duty of designated precepting authority), after “section...
44. For section 52Z (separate administration in England and Wales), substitute —...
45. *Olympic Symbol etc (Protection) Act 1995*
46. *Environment Act 1995*
47. *Disability Discrimination Act 1995*
48. In section 2(3) (past disabilities) for “National Assembly for Wales”...
49. (1) Section 4C (office holders: introductory) is amended as follows....
50. Section 21C(2) (exceptions from section 21B(1)) is amended as follows —...
51. (1) Section 28D (accessibility strategies and plans) is amended as...
52. (1) Section 28E (accessibility strategies and plans: procedure) is amended...
53. (1) Section 28J (procedure) is amended as follows.
54. (1) Section 28M (roles of the Secretary of State and...
55. (1) Section 28Q (interpretation) is amended as follows.
56. In section 31AF(2) (duty to consult before making regulations) for...
57. Section 49B(1)(b) (meaning of “public authority” in Part 5A) is...
58. In section 49C(2) after “an Act of the Scottish Parliament”...

59. (1) Section 49D (power to impose specific duties) is amended...
60. (1) Section 53A (codes of practice) is amended as follows....
61. (1) Section 59(1) (statutory authority) is amended as follows.
62. (1) Section 67 (regulations and orders) is amended as follows....
63. (1) Schedule 3 (enforcement and procedure) is amended as follows....
64. *School Standards and Framework Act 1998*
65. *Food Standards Act 1999*
66. In section 22(2)(b)(ii) (statement of general objectives and practices of...
67. In section 32(1)(b) and (2)(b) (modification of powers conferred on...
68. In Schedule 4 (accounts and audit), in paragraphs 2(2) (resource...
69. *Care Standards Act 2000*
70. (1) Section 72B (review of exercise of functions of Assembly...
71. (1) Section 73 (review and monitoring of arrangements) is amended...
72. In section 75A (additional power of consideration and representation) for...
73. In section 78(7) (interpretation) in the definition of “regulations” for...
74. (1) Schedule 2 (the Children’s Commissioner for Wales) is amended...
75. In paragraph 1 of Schedule 2B (persons whose arrangements are...
76. *Regulation of Investigatory Powers Act 2000*
77. *Freedom of Information Act 2000*
78. (1) Section 4 (amendment of Schedule 1) is amended as...
79. In section 7(4) (public authorities to which Act has limited...
80. In section 28(2) (relations within the United Kingdom: administration in...
81. (1) Section 35 (formulation of government policy, etc) is amended...
82. (1) Section 36 (prejudice to effective conduct of public affairs)...
83. (1) Section 53 (exception from duty to comply with decision...
84. (1) Section 81 (application to government departments, etc) is amended...
85. (1) Section 83 (meaning of “Welsh public authority”) is amended...
86. (1) Section 84 (interpretation) is amended as follows.
87. In Part 1 of Schedule 1 (public authorities: general), after...
88. *Transport Act 2000*
89. *Political Parties, Elections and Referendums Act 2000*
90. In section 5 (reports on elections and referendums)–
91. In section 6(3) (reviews of electoral and political matters )...
92. In section 6A(5)(d) (attendance of representatives of Commission at election...
93. In section 7(2) (Commission to be consulted on changes to...
94. In section 9A(6)(d)(setting of performance standards), for “section 8 of...
95. In section 10(6) (giving of advice and assistance), after paragraph...
96. In section 101(3) (referendums to which Part 7 applies), for...
97. In section 160(4) (general interpretation – payments out of public...
98. (1) Schedule 1, paragraph 14 (financing the Electoral Commission) is...
99. (1) Schedule 9 (limits on campaign expenditure) is amended as...
100. (1) Schedule 10 (limits on controlled expenditure) is amended as...
101. *Income Tax (Earnings and Pensions) Act 2003*
102. In section 291 (termination payments to MPs and others ceasing...
103. In section 293 (overnight expenses of other elected representatives), in...
104. In section 294 (European travel expenses of MPs and other...
105. In section 295 (transport and subsistence for Government Ministers etc),...
106. *Finance Act 2004*
107. In section 59(1) (contractors)— (a) in paragraph (b) after “any...
108. In section 150(4)(c) (meaning of “pension scheme”) after “National Assembly...
109. *Constitutional Reform Act 2005*

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110. In— (a) section 27(2)(d) (selection process); (b) section 28(5)(d) (report);...
111. In section 41(4) (relation to other courts: devolution issues), in...
112. *Equality Act 2006*
113. In section 11(3)(b)(ii) (monitoring the law) for “National Assembly for...
114. In section 14(9) (codes of practice) for “National Assembly for...
115. In section 50(4)(e) (section 49: exceptions) for “National Assembly for...
116. In section 52(4) (public authorities: general), after paragraph (e) insert—...
117. (1) Section 56 is amended as follows.
118. In section 78 (3) (crown application), after paragraph (b) insert—...
119. In section 92 (crown application), after paragraph (c) insert—
120. In paragraph 2(3)(c) of Schedule 1 (the Commission: constitution: membership)...
121. *Transport (Wales) Act 2006*
122. *Electoral Administration Act 2006*
123. *Health Act 2006*
124. *Commissioner for Older People (Wales) Act 2006*
125. (1) Section 2 (general functions) is amended as follows.
126. In section 3(1)(a) and (b)(review of discharge of functions) for...
127. (1) Section 4 (power to amend Schedule 2) is amended...
128. (1) Section 6 (review of arrangements : supplementary) is amended...
129. (1) Section 7 (power to amend Schedule 3) is amended...
130. In section 8(1)(a) (assistance) for “Assembly” substitute “Welsh Ministers, the...
131. In section 10(2) (examination of cases) for “the Assembly does...
132. In section 12(2)(a) (guidance) for “Assembly” substitute “Welsh Ministers, the...
133. In section 14(2)(a) (further supplementary functions) for “the Assembly does...
134. In section 15(2) (reports following discharge of particular functions) for...
135. (1) Section 16 (working jointly with the Public Services Ombudsman...
136. (1) Section 17 (working collaboratively with other ombudsmen) is amended...
137. (1) Section 18 (power to disclose information) is amended as...
138. (1) Section 20 (complaints procedure in respect of the Commissioner)...
139. (1) Section 27 (other interpretative provisions) is amended as follows....
140. (1) Section 28 (orders and regulations) is amended as follows....
141. (1) Schedule 1 (the Commissioner for Older People in Wales)...
142. *Companies Act 2006*
143. *Legislative and Regulatory Reform Act 2006*
144. In section 1(6) (power to remove or reduce burdens: meaning...
145. In section 4 (subordinate legislation)— (a) after subsection (3), insert—...
146. For section 11 (Wales), substitute— Wales (1) Except with the agreement of the Assembly, an...
147. In section 13 (consultation), for subsection (1)(c) substitute—
148. In section 24 (functions to which sections 21 and 22...
149. In section 27 (power to make orders, rules and schemes)—...
150. *Employment Equality (Religion or Belief) Regulations 2003*
151. *Employment Equality (Sexual Orientation) Regulations 2003*
152. *The Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2003*
153. *Employment Equality (Age) Regulations 2006*
154. (1) Regulation 12 (office holders etc) is amended as follows....
155. (1) Regulation 27(2) (exception for statutory authority) is amended as...

## SCHEDULE 2 — TRANSITIONAL PROVISIONS

1. *Food Standards Act 1999*
2. Nothing in paragraph 32 of Schedule 11 to the Government...
3. *Government of Wales Act 2006*
4. In Table 1 in paragraph 35 of Schedule 11 to...
5. In Table 2 in paragraph 35 of Schedule 11 to...

Explanatory Note