

SCHEDULE 2

Article 9(2)

CONSEQUENTIAL AMENDMENTS TO STATUTORY INSTRUMENTS

The Income Support (General) Regulations 1987 (S.I. 1987/1967)

1. In the Income Support (General) Regulations 1987:

(1) In regulation 61(1)—

- (a) in sub-paragraphs (a), (b) and (b)(ii) in the definition of “full-time course of advanced education” for “National Council for Education and Training for Wales” substitute “National Assembly for Wales”;
- (b) in sub-paragraphs (a), (b) and (b)(ii) in the definition of “full-time course of study” for “National Council for Education and Training for Wales” substitute “National Assembly for Wales.”;

(2) In Schedule 1B, in paragraph 28 for “National Council for Education and Training for Wales” substitute “National Assembly for Wales.”

The Housing Benefit (General) Regulations 1987 (S.I. 1987/1971)

2. In regulation 46(1) of the Housing Benefit (General) Regulations 1987, in paragraphs (a), (b) and (b)(ii) in the definition of “full-time course of study” for “National Council for Education and Training for Wales” substitute “National Assembly for Wales.”

The Council Tax Benefit (General) Regulations 1992 (S.I. 1992/1814)

3. In regulation 38(1) of the Council Tax Benefit (General) Regulations 1992, in paragraphs (a), (b) and (b)(ii) in the definition of “full-time course of study” for “National Council for Education and Training for Wales” substitute “National Assembly for Wales.”

The Education (Government of Further Education Corporations) (Former Sixth Form Colleges) Regulations 1992 (S.I. 1992/1957)

4. In the Education (Government of Further Education Corporations) (Former Sixth Form Colleges) Regulations 1992:

(1) in Schedule 1—

(a) in paragraph 1(a)

- (i) in the definition of “business member” for “TEC member” substitute “NAW member”;
- (ii) omit the definition of “TEC member”;
- (iii) insert a definition ““NAW member” means a person nominated by the National Assembly for Wales”;

(b) in paragraph 4(1)(d) for “TEC member” substitute “NAW member”;

(c) in paragraph 23

- (i) in paragraph (2)(b) for “appropriate Further Education Funding Council” substitute “National Assembly for Wales”;
- (ii) in paragraph (4) for “appropriate Further Education Funding Council” substitute “National Assembly for Wales.”

(2) in Schedule 2, in paragraph 15 for “appropriate Further Education Funding Council” substitute “National Assembly for Wales”.

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The Education (Government of Further Education Corporations) (Former Further Education Colleges) Regulations 1992 (SI 1992/1963)

5. In the Education (Government of Further Education Corporations) (Former Further Education Colleges) Regulations 1992:

(1) in Schedule 1—

(a) in paragraphs 21(2)(b) and 21(4) for “appropriate Further Education Funding Council” substitute “National Assembly for Wales”;

(2) in Schedule 2 in paragraph 16 for “appropriate Further Education Funding Council” substitute “National Assembly for Wales”.

The Education (Designated Institutions in Further Education) (Wales) Order 1993 (S.I. 1993/215)

6. In article 2 of the Education (Designated Institutions in Further Education) (Wales) Order 1993 paragraph (1) for “Further Education Funding Council for Wales” substitute “National Assembly for Wales”.

The Coleg Menai (Government) Regulations 1994 (S.I. 1994/1450)

7. In the Coleg Menai (Government) Regulations 1994:

(1) In Schedule 1 in paragraphs 21(2)(b) and 21(4) for “Further Education Funding Council for Wales” substitute “National Assembly for Wales”;

(2) In Schedule 2 paragraph 16 for “Further Education Funding Council” substitute “National Assembly for Wales”.

The Jobseeker’s Allowance Regulations 1996 (S.I. 1996/207)

8. In the Jobseeker’s Allowance Regulations 1996:

(1) In regulation 1(3)—

(a) in sub-paragraphs (a), (b) and (b)(ii) in the definition for “full-time course of advanced education” for “National Council for Education and Training for Wales” substitute “National Assembly for Wales”;

(b) in sub-paragraphs (b)(i), (b)(ii) and (b)(ii)(bb) in the definition for “full-time student” for “National Council for Education and Training for Wales” substitute “National Assembly for Wales”;

(2) In regulation 11(3) for “National Council for Education and Training for Wales” substitute “National Assembly for Wales.”;

(3) In regulation 57(1), in the definition of “training” for “National Council for Education and Training for Wales” substitute “National Assembly for Wales.”;

(4) In regulation 75(1)(b)(i), for “National Council for Education and Training for Wales” substitute “National Assembly for Wales.”;

(5) In regulation 170(2), for “National Council for Education and Training for Wales” substitute “National Assembly for Wales.”;

(6) In Schedule A1, in paragraph 16 for “National Council for Education and Training for Wales” substitute “National Assembly for Wales.”.

The Housing Renewal Grants Regulations 1996 (S.I. 1996/2890)

9. In regulation 41 of the Housing Renewal Grants Regulations 1996:

(1) In sub-paragraph (d) in the definition of “access funds” for “National Council for Education and Training for Wales” substitute “National Assembly for Wales”;

(2) In sub-paragraphs (a), (b) and (b)(ii) in the definition of “full-time course of study” for “National Council for Education and Training for Wales” substitute “National Assembly for Wales”;

(3) Omit the definition “the NCETW means the National Council for Education and Training in Wales”.

The Local Education Authority (Behaviour Support Plans) Regulations 1998 (S.I. 1998/644)

10. In regulation 3(2)(m) of the Local Education Authority (Behaviour Support plans) Regulations 1998 for “National Council for Education and Training for Wales” substitute “National Assembly for Wales”.

The Education (Publication of Local Education Authority Inspection Reports) Regulations 1998 (S.I. 1998/880)

11. In regulation 4(1)(d) of the Local Education Authority (Publication of Local Education Authority Inspection Reports) Regulations 1998 for “National Council for Education and Training for Wales” substitute “National Assembly for Wales”.

The Education (School Inspection) (Wales) Regulations 1998 (S.I. 1998/1866)

12. In the Education (School Inspection) (Wales) Regulations 1998:

(1) In regulation 5(1)(g) and 5(1)(i) for “National Council for Education and Training for Wales” substitute “National Assembly for Wales”;

(2) In regulation 6(c)(ii) and 6(d)(iv) for “National Council for Education and Training for Wales” substitute “National Assembly for Wales”;

(3) In regulation 8(3)(b) and 8(3)(c) for “National Council for Education and Training for Wales” substitute “National Assembly for Wales”.

The General Teaching Council for Wales (Constitution) Regulations 1999 (S.I. 1999/1619)

13. In Part 2 of the Schedule to the General Teaching Council for Wales (Constitution) Regulations 1999 omit “National Council for Education and Training for Wales”.

The Education (Maintained Special Schools) (Wales) Regulations 1999 (S.I. 1999/1780)

14. In regulation 7(2)(a) of the Education (Maintained Special Schools) (Wales) Regulations 1999 omit “the National Council for Education and Training for Wales, if the proposals affect the provision of education to which section 31(1) of the Learning and Skills Act 2000 applies”.

The Education (School Information) (Wales) Regulations 1999 (S.I. 1999/1812)

15. In the Education (School Information) (Wales) Regulations 1999:

(1) In regulation 6(9) for “National Council for Education and Training for Wales” substitute “National Assembly for Wales”;

(2) In paragraph 20 in Part 2 in Schedule 1, for “National Council for Education and Training for Wales” substitute “National Assembly for Wales”.

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The Further Education Corporations (Yale College) (Modification of Instrument of Government) Order 1999

16. In article 20(2) of the Further Education Corporations (Yale College) (Modification of Instrument of Government) Order 1999 for “Further Education Funding Council for Wales” substitute “National Assembly for Wales”.

The Further Education Corporations (Yale College) (Modification of Instrument of Government) Order (No.2) 1999

17. In the Further Education Corporations (Yale College) (Modification of Instrument of Government) Order (No.2) 1999:

(1) In articles 3(2) and 5(2) for “Further Education Funding Council for Wales” substitute “National Assembly for Wales”;

(2) In article 5(3)—

(a) for “Further Education Funding Council for Wales” substitute “National Assembly for Wales”;

(b) omit “pursuant to the fulfilment of the Council’s statutory functions”;

(3) In article 6—

(a) for “Further Education Funding Council for Wales” substitute “National Assembly for Wales”;

(b) omit “from that Council”.

The National Council for Education and Training for Wales (Interim Functions) Order 2000 (S.I. 2000/2539) (W.162)

18. The National Council for Education and Training for Wales (Interim Functions) Order 2000 is revoked.

The Whole of Government Accounts (Designation of Bodies) Order 2000 (S.I. 2000/3357)

19. In the Schedule to the whole of Government Accounts (Designation of Bodies) Order 2000 omit “National Council for Education and Training for Wales”.

The Education (Publication of Draft Proposals and Orders) (Further Education Corporations) (Wales) Regulations 2001 (S.I. 2001/2069) (W.141)

20. The Education (Publication of Draft Proposal and Orders) (Further Education Corporations) (Wales) Regulations 2001 are revoked.

The Inspection of Education and Training (Wales) Regulations 2001 (S.I. 2001/2501) (W.204)

21. In regulation 4(3)(c) of the Inspection of Education and Training (Wales) Regulations 2001 omit “the National Council for Education and Training for Wales”.

The Race Relations Act 1976 (Statutory Duties) Order 2001 (S.I. 2001/3458)

22. In the Race relations Act 1976 (Statutory Duties) Order 2001:

(1) In Schedule 1 omit “The National Council for Education and Training for Wales”.

(2) In Part 4 of Schedule 2 for “National Council for Education and Training for Wales” substitute “National Assembly for Wales”.

The Whole of Government Accounts (Designation of Bodies) Order 2002 (S.I. 2002/454)

23. In Schedule 2 to the Whole of Government Accounts (Designation of Bodies) Order 2002 omit “National Council for Education and Training in Wales”.

The Local Authorities (Goods and Services) (Public Bodies) (Wales) Order 2002 (S.I. 2002/1729) (W.163)

24. In the Schedule to the Local Authorities (Goods and Services) (Public Bodies) (Wales) Order 2002 omit “The National Council for Education and Training for Wales”.

The Child Tax Credit Regulations 2002 (S.I. 2002/2007)

25. In regulation 2 of the Child Tax Credit Regulations 2002 in the definition “relevant training programme” in paragraph (aa) for “National Council for Education and Training for Wales” substitute “National Assembly for Wales”.

The Education (Teacher Student Loans) (Repayment etc) Regulations 2002 (S.I. 2002/2086)

26. In the Education (Teacher Student Loans) (Repayment etc) Regulations 2002:

(1) In regulation 2 in the definition of “specialist college” for “National Council for Education and Training for Wales” substitute “National Assembly for Wales”;

(2) In regulation 4(3)(d) for “National Council for Education and Training for Wales” substitute “National Assembly for Wales”.

The Freedom of Information (Additional Public Authorities) Order 2002 (S.I. 2002/2623)

27. In Schedule 1 of the Freedom of Information (Additional Public Authorities) Order 2002 omit “The National Council for Education and Training for Wales”.

The National Assembly for Wales (Disqualification) Order 2003 (S.I. 2003/437)

28. In Part 1 of the Schedule to the National Assembly for Wales (Disqualification) Order 2003 omit “The National Council for Education and Training for Wales”.

The Whole of Government Accounts (Designation of Bodies) Order 2003 (S.I. 2003/489)

29. In the Schedule Whole of Government Accounts (Designation of Bodies) Order 2003 omit “National Council for Education and Training for Wales”.

The Child Benefit (General) Regulations 2003 (S.I. 2003/493)

30. In regulation 1 of the Child Benefit (General) Regulations 2003 in the definition of “relevant training programme” in paragraph (b) for “National Council for Education and Training for Wales” substitute “National Assembly for Wales”.

The Individual Learning Accounts Wales Regulations 2003 (S.I. 2003/918) (W.119)

31. In regulation 1(2) of the Individual Learning Accounts Wales Regulations 2003 in the definition of “learning accounts administrator” (“gweinyddydd cyfrifon dysgu”) after “these regulations” add “or the National Assembly for Wales”.

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The Education (School Organisation Plans) (Wales) Regulations 2003 (S.I. 2003/1732) (W.190)

32. In regulation 5(1)(viii) of the Education (School Organisation Plans) Regulations 2003 omit “the National Council for Education and Training for Wales”.

The Education (Teacher Student Loans) (Repayment etc) Regulations 2003 (S.I. 2003/1917)

33. In the Education (Teacher Student Loans) (Repayment etc) Regulations 2003:

(1) In regulation 2 in the definition for “specialist college” for “National Council for Education and Training for Wales” substitute “National Assembly for Wales”;

(2) In regulation 4(3)(d) for “National Council for Education and Training for Wales” substitute “National Assembly for Wales”.

The Schools Forums (Wales) Regulations 2003 (S.I. 2003/2909) (W.275)

34. In the Schools Forums (Wales) Regulations 2003:

(1) In regulation 1 in the definition of “relevant body” (“*corff perthnasol*”) add “)” after “and the authority itself” and omit “but excluding the National Council for Education and Training for Wales”.

(2) In regulation 6(4) for “National Council for Education and Training for Wales ” substitute “National Assembly for Wales”.

The LEA Budget, Schools Budget and Individual Schools Budget (Wales) Regulations 2003 (S.I. 2003/3118) (W.296)

35. In regulation 2(8)(a) of the LEA Budget, Schools Budget and Individual Schools Budget (Wales) Regulations 2003 for “National Council for Education and Training for Wales ” substitute “National Assembly for Wales”.

The Education (Information About Individual Pupils) (Wales) Regulations 2003 (S.I. 2003/3237) (W.317)

36. In the Education (Information About Individual Pupils) (Wales) Regulations 2003:

(1) In regulation 2 in the definition of “learning activity reference” (“*cyfeirnod gweithgaredd dysgu*”) for “National Council for Training and Education for Wales” substitute “National Assembly for Wales”;

(2) In regulation 4(2)(b) omit “the National Council for Training and Education for Wales”.

The Inspection of Youth Support Services in Wales Regulations 2004 (S.I. 2004/679) (W.67)

37. In regulation 2(3) of the Inspection of Youth Support Services in Wales Regulations 2004 omit “(c) the National Council for Education and Training in Wales”.

The Schools Budget Shares (Wales) Regulations 2004 (S.I. 2004/2506)(W.224)

38. In the Schools Budget Shares (Wales) Regulations 2004:

(1) In regulation 2 omit “the National Council (“*y Cyngor Cenedlaethol*”) means the National Council for Education and Training for Wales”;

(2) In regulation 7(3) omit “or the National Council”;

(3) In regulation 8(2) for “National Council” substitute “National Assembly”;

- (4) In regulation 14(2) for “National Council” substitute “National Assembly”;
- (5) In the heading at Regulation 15 for “National Council” substitute “National Assembly”;
- (6) In regulation 15 for “National Council” substitute “National Assembly”.

The School Organisation Proposals by the National Council for Education and Training for Wales Regulations 2004 (S.I. 2004/1576) (W.162)

39. In the School Organisation Proposals by the National Council for Education and Training for Wales Regulations 2004:

- (1) In the title of the Regulations for “National Council for Education and Training for Wales” substitute “National Assembly for Wales”;
- (2) In regulation 1(1) for “National Council for Education and Training for Wales” substitute “National Assembly for Wales”;
- (3) In regulation 2 omit “the Council means the National Council for Education and Training for Wales”;
- (4) In regulation 4 for “Council” substitute “National Assembly”;
- (5) In regulation 5—
 - (a) in paragraphs (1), (2) and (3) for “Council” substitute “National Assembly”;
 - (b) in paragraph (4) and sub-paragraph (f) for “Council” substitute “National Assembly”;
 - (c) in paragraph (4) omit “(a) the National Assembly”;
 - (d) in paragraph (5) and (6) for “Council” substitute “National Assembly”.
- (6) In regulation 6 for “the Council” substitute “the National Assembly for Wales”.
- (7) Regulation 7 is revoked.
- (8) Regulation 8 is revoked.
- (9) Insert the following after Regulation 6:

Determination by the National Assembly

8A.—(1) After the expiry of the period mentioned in regulation 6, the National Assembly shall determine whether to—

- (a) withdraw the proposals,
 - (b) confirm them without modification; or
 - (c) confirm them subject to modifications.
- (2) In making a determination under paragraph (1), the National Assembly shall have regard to any objections made in accordance with regulation 6 and not withdrawn.
- (3) Before confirming the proposals subject to modifications the National Assembly shall consult such persons as it considers appropriate.
- (4) A confirmation under sub-paragraph (1)(b) or (c) may be subject to the occurrence by a specified time of a specified event which is of a prescribed kind; and if the event does not occur by the specified time the National Assembly shall reconsider its determination under paragraph (1).
- (5) The National Assembly may withdraw its proposals at any time before a determination is made under this regulation.
- (10) In regulation 9—
 - (a) in paragraph (1) omit “(a) the Council”;

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- (b) in paragraph (2)(a) insert “National” after the words “appears to the” and for “Council” substitute “National Assembly”;
- (c) paragraph (3) is revoked.
- (11) In regulation 10—
 - (a) paragraph (1) is revoked;
 - (b) in paragraph (2)—
 - (i) omit “(a) the Council”;
 - (ii) after “been approved” insert “or confirmed”.
- (12) Regulation 13 is revoked.
- (13) In regulation 14—
 - (a) in paragraph (1) for “Council” substitute “National Assembly”;
 - (b) in paragraph (2) for “Council” substitute “National Assembly” and after “proposals” insert “and any other relevant information”.
- (14) In regulation 16(1) for “that approval” substitute “that confirmation”.
- (15) In regulation 17 omit “(a) the Council”.
- (16) In Schedule 1—
 - (a) in paragraph 1 for “Council” substitute “National Assembly”;
 - (b) omit paragraph 12.
- (17) In Schedule 2, in paragraph 1 for “Council” substitute “National Assembly”.
- (18) Schedule 3 is revoked.
- (19) In Schedule 4—
 - (a) in paragraph 1 after “approved” insert “or confirmed”;
 - (b) in paragraph 4:
 - (i) for “Council” substitute “the National Assembly”;
 - (ii) delete “, having any regard to any guidance issued by the National Assembly,”;
 - (c) omit paragraph 5;
 - (d) in paragraph 6 for “the Council” substitute “the National Assembly”.

The Whole of Government Accounts (Designation of Bodies) Order 2005 (S.I. 2005/486)

40. In Schedule 1 to the Whole of Government Accounts (Designation of Bodies) Order 2005 omit “National Council for Education and Training for Wales”

The St David’s Catholic College Incorporation Order 2005 (S.I. 2005/2293)

41. In the St David’s Catholic College Incorporation Order 2005:

- (1) In article 2 omit the definition of “the Council”.
- (2) In article 7:
 - (a) in paragraph (1) for “consent of the Council” substitute “consent of the Assembly”;
 - (b) in paragraph (3) for “by the Council” substitute “by the Assembly”.
- (3) In article 9 for “and the Council” substitute “and the Assembly”.
- (4) In article 10:
 - (a) for paragraph (2)(a) substitute—

- “(a) property acquired or enhanced in value wholly or partly by means of financial assistance provided by:
 - (i) the Assembly under section 34 of the Learning and Skills Act 2000 from 1 April 2006;
 - (ii) the National Council for Education and Training for Wales under section 34 of the Learning and Skills Act between 1 April 2001 and 31 March 2006;
 - (iii) the Further Education Funding Council for Wales under section 5 of the Further and Higher Education Act 1992 before 1 April 2001.”;
- (b) in paragraph (3)(a) for “vest in the Council” substitute “vest in the Assembly”.