

2015 No. 29 (W. 2) (C. 2)

EDUCATION, WALES

The Education (Wales) Act 2014
(Commencement No. 3 and Saving
and Transitional Provisions) Order
2015

EXPLANATORY NOTE

(This note is not part of the Order)

This is the third commencement order made by the Welsh Ministers under the Education (Wales) Act 2014 (“the 2014 Act”).

This Order brings into force on 16 January 2015—

- (a) section 2 (Education Workforce Council) to the extent necessary for the purpose of making regulations or orders under the 2014 Act;
- (b) section 5 (power to add functions);
- (c) section 9 (1) and (3) (register) to the extent necessary for the purpose of making regulations or orders under the 2014 Act;
- (d) section 10 (eligibility for registration);
- (e) section 12 (registration fees);
- (f) section 13 (registration: further provision);
- (g) section 14 (school teachers and school learning support workers) in so far as it applies to school teachers;
- (h) section 15 (further education teachers);
- (i) section 17 (requirement to undertake period of induction);
- (j) section 18 (induction assessment standards) to the extent necessary for the purpose of making regulations under section 17 of the 2014 Act;
- (k) section 19 (appeals against induction decisions) to the extent necessary for the purpose of making regulations;
- (l) section 21 (induction: interpretation);

- (m) section 24 (code of conduct and practice) to the extent necessary for the purpose of making regulations;
- (n) section 25 (code of conduct and practice: further provision);
- (o) section 26 (disciplinary functions);
- (p) section 27 (disciplinary functions: interpretation);
- (q) section 28 (disciplinary functions: further provision);
- (r) section 29 (conditional registration orders) to the extent necessary for the purpose of making regulations;
- (s) section 30 (suspension orders) to the extent necessary for the purpose of making regulations;
- (t) section 31 (prohibition orders) to the extent necessary for the purpose of making regulations;
- (u) section 33 (council to maintain records about certain persons);
- (v) section 35 (supply of information: the council);
- (w) section 36 (supply of information: employers);
- (x) section 37 (supply of information: agents and contractors);
- (y) section 41 (interpretation of Part 2);
- (z) the first and third rows of Table 1 in paragraph 1 and paragraph 3 of Schedule 2 (categories of registration), and
- (aa) Schedule 4 (index of defined words and expressions).

This Order brings into force on 1 April 2015—

- (a) section 2 (Education Workforce Council) to the extent that it is not already in force;
- (b) section 3 (aims of the Council);
- (c) section 4 (functions of the Council);
- (d) section 6 (directions);
- (e) sections 7 and 8 (provision of advice by the Council and promotion of careers);
- (f) section 9 (register) to the extent it is not already in force;
- (g) section 11 (appeals against refusal of registration);
- (h) section 18 (induction assessment standards);
- (i) section 19 (appeals against induction decisions) to the extent that it is not already in force;

- (j) section 20 (induction: intervention powers);
- (k) section 22 (special provision for maintained schools with delegated budgets);
- (l) section 24 (code of conduct and practice);
- (m) section 29 (conditional registration orders);
- (n) section 30 (suspension orders);
- (o) section 31 (prohibition orders);
- (p) section 32 (appeals against disciplinary orders);
- (q) section 34 (supply of information: ministers);
- (r) section 38 (directions to secure compliance with information duties);
- (s) sections 39 and 40 (transitional and transitory provision);
- (t) section 48 (minor consequential amendments and repeals);
- (u) Schedule 1 (education workforce council) to the extent that it is not already in force;
- (v) paragraph 2 of Schedule 2 (categories of registration);
- (w) paragraphs 1(1), 1(2), (4), (5) and (6) and 2 of Part 1 to Schedule 3 (changes to other legislation); and
- (x) Part 2 of Schedule 3 (changes to other legislation) except for the repeal of section 131(7) of the Education Act 2002.

Article 4 contains saving and transitional provisions.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to this Order. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with this Order.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|---|-----------------------------|---------------------------------|
| Section 2 in so far as it relates to Schedule 1 | 18 August 2014 | S.I. 2014/2162 (W. 211) (C. 97) |
| Section 42 | 14 July 2014 | S.I. 2014/1605 (W. 163) (C. 63) |
| Section 43 | 1 September 2014 | S.I. 2014/1605 (W. 163) (C. 63) |

| | | |
|--|----------------|---------------------------------|
| Section 44 | 14 July 2014 | S.I. 2014/1605 (W. 163) (C. 63) |
| Section 48 (partially) | 14 July 2014 | S.I. 2014/1605 (W. 163) (C. 63) |
| Paragraphs 3(1), (2), (3), (4)(a) and (5), 4, 5, 6, 7, 9(1), (2) and (3), and 12 of Schedule 1 | 18 August 2014 | S.I. 2014/2162 (W. 211) (C. 97) |
| Paragraph 1(1), (2) and (6) of Schedule 3 | 14 July 2014 | S.I. 2014/1605 (W. 163) (C. 63) |

2015 No. 29 (W. 2) (C. 2)

EDUCATION, WALES

The Education (Wales) Act 2014
(Commencement No. 3 and Saving
and Transitional Provisions) Order
2015

Made

13 January 2015

The Welsh Ministers, in exercise of the powers conferred upon them by section 50(4) and (5) of the Education (Wales) Act 2014⁽¹⁾, make the following Order:

Title and interpretation

1.—(1) The title of this Order is the Education (Wales) Act 2014 (Commencement No. 3 and Saving and Transitional Provisions) Order 2015.

(2) In this Order, “the 2014 Act” (“*Deddf 2014*”) means the Education (Wales) Act 2014.

Provisions coming into force on 16 January 2015

2. The appointed day for the following provisions of the 2014 Act coming into force is 16 January 2015—

- (a) section 2 (Education Workforce Council) to the extent necessary for the purpose of making regulations or orders under the 2014 Act;
- (b) section 5 (power to add functions);
- (c) section 9(1) and (3) (register) to the extent necessary for the purpose of making regulations or orders under the 2014 Act;
- (d) section 10 (eligibility for registration);
- (e) section 12 (registration fees);
- (f) section 13 (registration: further provision);

⁽¹⁾ 2014 anaw 5.

- (g) section 14 (school teachers and school learning support workers) in so far as it applies to school teachers;
- (h) section 15 (further education teachers);
- (i) section 17 (requirement to undertake period of induction);
- (j) section 18 (induction assessment standards) to the extent necessary for the purpose of making regulations under section 17 of the 2014 Act;
- (k) section 19 (appeals against induction decisions) to the extent necessary for the purpose of making regulations;
- (l) section 21 (induction: interpretation);
- (m) section 24 (code of conduct and practice) to the extent necessary for the purpose of making regulations;
- (n) section 25 (code of conduct and practice: further provision);
- (o) section 26 (disciplinary functions);
- (p) section 27 (disciplinary functions: interpretation);
- (q) section 28 (disciplinary functions: further provision);
- (r) section 29 (conditional registration orders) to the extent necessary for the purpose of making regulations;
- (s) section 30 (suspension orders) to the extent necessary for the purpose of making regulations;
- (t) section 31 (prohibition orders) to the extent necessary for the purpose of making regulations;
- (u) section 33 (council to maintain records about certain persons);
- (v) section 35 (supply of information: the council);
- (w) section 36 (supply of information: employers);
- (x) section 37 (supply of information: agents and contractors);
- (y) section 41 (interpretation of Part 2);
- (z) the first and third rows of Table 1 in paragraph 1 and paragraph 3 of Schedule 2 (categories of registration); and
- (aa) Schedule 4 (index of defined words and expressions).

Provisions coming into force on 1 April 2015

3. The appointed day for the following provisions of the 2014 Act coming into force is 1 April 2015—

- (a) section 2 to the extent that it is not already in force (education workforce council);
- (b) section 3 (aims of the Council);
- (c) section 4 (functions of the Council);
- (d) section 6 (directions);
- (e) sections 7 and 8 (provision of advice by the Council and promotion of careers);
- (f) section 9 (register) to the extent it is not already in force;
- (g) section 11 (appeals against refusal of registration);
- (h) section 18 (induction assessment standards);
- (i) section 19 (appeals against induction decisions) to the extent that it is not already in force;
- (j) section 20 (induction: intervention powers);
- (k) section 22 (special provision for maintained schools with delegated budgets);
- (l) section 24 (code of conduct and practice);
- (m) section 29 (conditional registration orders);
- (n) section 30 (suspension orders);
- (o) section 31 (prohibition orders);
- (p) section 32 (appeals against disciplinary orders);
- (q) section 34 (supply of information: ministers);
- (r) section 38 (directions to secure compliance with information duties);
- (s) sections 39 and 40 (transitional and transitory provision);
- (t) section 48 (minor consequential amendments and repeals);
- (u) Schedule 1 (education workforce council) to the extent that it is not already in force;
- (v) paragraph 2 of Schedule 2 (categories of registration);
- (w) paragraphs 1(1), 1(2), (4), (5) and (6) and 2 of Part 1 to Schedule 3 (changes to other legislation); and
- (x) Part 2 of Schedule 3 (changes to other legislation) except for the repeal of section 131(7) of the Education Act 2002⁽¹⁾.

(1) 2002 c. 32.

Saving and transitional provisions

4.—(1) Notwithstanding the commencement of paragraph 3 of Part 2 of Schedule 3 to the 2014 Act the—

- (a) General Teaching Council for Wales (Additional Functions) Order 2000⁽¹⁾ continues to have effect until such time as the Welsh Ministers make regulations in exercise of their powers under sections 33, 35, 36 and 37 of the 2014 Act;
- (b) General Teaching Council for Wales (Functions) Regulations 2000⁽²⁾ continues to have effect until such time as the Welsh Ministers make regulations in exercise of their powers under sections 10 and 13 of the 2014 Act;
- (c) General Teaching Council for Wales (Disciplinary Functions) Regulations 2001⁽³⁾ continue to have effect until such time as the Welsh Ministers make regulations in exercise of their powers under sections 26 and 28 of the 2014 Act;
- (d) General Teaching Council for Wales (Fees) Regulations 2002⁽⁴⁾ continue to have effect until such time as the Welsh Ministers make regulations in exercise of their powers under section 12 of the 2014 Act;
- (e) Education (Induction Arrangements for School Teachers) (Wales) Regulations 2005⁽⁵⁾ continue to have effect until such time as the Welsh Ministers make regulations in exercise of their powers under sections 17 and 19 of the 2014 Act;
- (f) Education (Specified Work and Registration) (Wales) Regulations 2010⁽⁶⁾ continue to have effect until such time as the Welsh Ministers make regulations in exercise of their powers under sections 14 and 15 of the 2014 Act; and
- (g) School Teacher Appraisal (Wales) Regulations 2011⁽⁷⁾ continue to have effect until such time as the Welsh Ministers make regulations in exercise of their powers under section 23 of the 2014 Act.

(2) Any reference to the General Teaching Council for Wales in the orders and regulations set out in

(1) S.I. 2000/1941 (W. 139).
(2) S.I. 2000/1979 (W. 140).
(3) S.I. 2001/1424 (W. 99).
(4) S.I. 2002/326 (W. 39).
(5) S.I. 2005/1818 (W. 146).
(6) S.I. 2010/2710 (W. 227).
(7) S.I. 2011/2940 (W. 316).

paragraph (1) is to be construed as a reference to the Education Workforce Council.

Huw Lewis
Minister for Education and Skills, one of the Welsh
Ministers

1 January 2015