

Explanatory Memorandum to the Education (Pupil Referral Units) (Application of Enactments) (Wales) (Amendment) Regulations 2015

This Explanatory Memorandum has been prepared by the Education and Public Services Group of the Welsh Government and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and under Standing Order 27.1.

Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of the Education (Pupil Referral Units) (Application of Enactments) (Wales) (Amendment) Regulations 2015.

Huw Lewis

Minister for Education and Skills

12 October 2015

1. Description

These Regulations correct an error in The Education (School Development Plans) (Wales) Regulations 2014.

2. Matters of special interest to the Constitutional and Legislative Affairs Committee

There are no matters of special interest to be brought to the Committee's attention.

3. Legislative background

These Regulations are made under sections 569(4) and (5) of, and paragraph 3 of Schedule 1 to, the Education Act 1996. The powers were conferred upon the National Assembly for Wales by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999, the powers are exercisable by the Assembly in relation to Wales and by virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32) are now exercisable by the Welsh Ministers.

The Regulations are subject to the negative resolution procedure.

4. Purpose & intended effect of the legislation

The intention of the Education (School Development Plans) (Wales) Regulations 2014 is to place a statutory responsibility regarding strategic planning upon all maintained schools including pupil referral units (PRUs) and nurseries. Regulation 10 erroneously referred to "The Education (Pupil Referral Units) (Application of Enactments) (Wales) Regulations 2007" instead of "The Education (School Development Plans) (Wales) Regulations 2014". These Regulations correct that error.

5. Consultation

No consultation has been undertaken on these Regulations as they are technical and correct an error.

6. Regulatory Impact Assessment

A regulatory impact assessment has not been prepared as the Regulations do not impose any additional costs on businesses, employers or third parties.

The Regulations have no impact on the statutory duties in sections 77-79 or statutory partners in sections 72-75 of the Government of Wales Act 2006.