

2000 No. 1829

**CONSTITUTIONAL LAW
DEVOLUTION, WALES**

**The National Assembly for Wales (Transfer of Functions) (Variation)
Order 2000**

Made 12th July 2000

Coming into force 1st August 2000

At the Court at Buckingham Palace, the 12th day of July 2000

Present,

The Queen's Most Excellent Majesty in Council

Whereas the draft of this Order has been laid before, and approved by a resolution of, each House of Parliament and the National Assembly for Wales:

Now, therefore, Her Majesty, in pursuance of section 22 of the Government of Wales Act 1998(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows: -

Citation, commencement and interpretation

1.-(1) This Order may be cited as the National Assembly for Wales (Transfer of Functions) (Variation) Order 2000 and shall come into force on 1st August 2000.

(2) In this Order, "the 1999 transfer order" means the National Assembly for Wales (Transfer of Functions) Order 1999(b)

1999 transfer order: variation

2. In Schedule 1 to the 1999 transfer order, for the entry for the Education Reform Act 1988 (c. 40), substitute:

"Education Reform Act 1988 (c. 40) except sections 197, 199, 209, 226 and Schedules 8 and 11.

It is directed that the functions under section 218(6) and, so far as it relates thereto, (6ZA) shall be exercisable by the Assembly concurrently with the Secretary of State."(c).

A K Galloway
Clerk of the Privy Council

(a) 1998 c.38.

(b) S.I. 1999/672 to which there are amendments not relevant to this Order.

(c) Section 218(6) is amended by section 290(3) of the Education Act 1993 (c.35) and prospectively amended and extended by, respectively, sections 5(1) and 6 of the Protection of Children Act 1999 (c.14). Section 218 (6ZA) is prospectively inserted by section 5(2) of that Act of 1999.

EXPLANATORY NOTE

(This note is not part of the Order)

The Order, which comes into force on 1st August 2000, is made under section 22 of the Government of Wales Act 1998. It varies the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) by substituting in Schedule 1 to that Order a new entry for the Education Reform Act 1988. The effect of the variation is that the functions in that Act under section 218(6) and (6ZA) (so far as subsection (6ZA) relates to subsection (6)) (power to make regulations for prohibiting or restricting the employment of persons as teachers on medical or educational grounds, cases of misconduct etc) are, in relation to Wales, exercisable by both the National Assembly for Wales and the Secretary of State. Section 218(6ZA) is, prospectively, inserted by section 5(2) of the Protection of Children Act 1999.

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