



**Cynulliad Cenedlaethol Cymru**  
**The National Assembly for Wales**

**ADRODDIAD GAN Y PWYLLGOR DEDDFAU**  
**DRAFFT**

**LEGISLATION COMMITTEE REPORT**  
**DRAFT**

**The Education (Education Standards Grants) (Wales) Regulations 2001**

**Background**

Section 484 of the Education Act 1996 empowers the Assembly to pay grants to local education authorities in respect of expenditure of a class or description specified in regulations made by the Assembly. Such expenditure has to be expenditure for or in connection with educational purposes and to appear to the Assembly to be expenditure that local education authorities should be encouraged to incur.

There is, in section 484 and also in section 489, further provision as to the matters which may be provided for in the regulations.

The present regulations provide for the manner in which grants under section 484 of the 1996 Act may be paid, and specify areas of expenditure in respect of which grant is to be payable.

Except to the extent indicated in the Explanatory Note, these Regulations are in the same form as the regulations made last year which they replace.

**Standing Order 11.5**

No matters have been identified as issues to which the Committee would need to invite the Assembly to pay special attention.

## **General Observations**

Having had the opportunity of looking at an early draft of these Regulations, the legal advisers to the Committee were able to identify a number of small drafting points which have now been corrected in the final draft. There are, however, points of explanation, which it may be helpful to identify.

### **Definitions in Regulation 2(1)**

“education strategic plan”. This term has been used for “education development plan” because this is how education development plans are generally referred to in Wales.

“named person”. This refers to persons named by the education authority after having regard to any criteria set out in a Code of Practice. Whilst a statutory instrument cannot incorporate a document in variable form (ie any incorporated document must be a specifically existing document), this is not an incorporation of a document but a requirement that a “named person” must be appointed in accordance with the statutory provisions relating to such appointments.

**Mick Bates AM**  
**Chair, Legislation Committee**

30 January 2001