



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

ADRODDIAD GAN Y PWYLLGOR DEDDFAU

LEGISLATION COMMITTEE REPORT

The Learning and Skills Act 2000 (Commencement No. 3 and Transitional Provisions) (Wales) Order 2001

Background

This Order brings into force on 1st April and 1st September 2001 those provisions of the Learning and Skills Act 2000 specified in Part I and II of the Schedule to this Order, respectively.

The Order also provides for transitional provisions and stipulates that in a particular instance the commencement is subject to savings.

Standing Order 11.5

Two points have been identified in respect of which the drafting of the Regulations appears to be defective.

The first point concerns Part I of the Schedule. In relation to section 30(1) of the Education Act 1997 'and subsection (3)' is not included in the Welsh text.

The second point concerns Part II of the Schedule. In relation to section 403(1) of the Education Act 1996, the Welsh word for Act is incorrectly spelt. 'Neddf' should be used instead of 'Nedf'.

It is considered that the above matters are minor drafting errors which would be appropriate for correction by means of a Memorandum of Corrections. Accordingly, subject to a Memorandum of Corrections being duly laid before the National Assembly, the Committee

is content to report that no matters arise under SO 11.5 which it needs to invite the National Assembly to pay special attention.

General Observations

Heading

A space is required between 'and' and 'Transitional'.

Explanatory Note – third paragraph

The third paragraph consists of 38 lines and refers to 13 sections. As this is an Explanatory Note and the objective is that of conveying in a simple language the purpose of the Order, would it not be prudent to consider re drafting the paragraph and those of a similar nature?

Explanatory Note – 14th paragraph

'educationauthorities' should read 'education authorities'.

Explanatory Note – table

'YnAtodlen 9' in the third grouping should read 'Yn Atodlen 9'.

Square brackets within both texts require deletion in the last grouping.

Schedule – Part I

Paragraph 76 is incorrectly placed.

Mick Bates A.M.

Chair, Legislation Committee

27th February 2001