

2013 No. 1566 (W. 143) (C. 62)

EDUCATION, WALES

**The Protection of Freedoms Act
2012 (Commencement No. 2)
(Wales) Order 2013**

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under section 120(2) and (3) of the Protection of Freedoms Act 2012 (“the 2012 Act”). This Order is the second commencement order to be made by the Welsh Ministers under the 2012 Act.

Article 2 of this Order brings into force on the 1 September 2013 sections 26 to 28 of the 2012 Act to regulate the biometric information of children and young persons in schools in Wales and further education institutions (FEIs) in Wales.

Section 26 imposes a requirement on schools and FEIs to notify parents and obtain parental consent before processing a child’s biometric information.

Section 27 specifies exceptions to the consent requirement and makes further provision about consent and notification.

Section 28 contains definitions relevant to the operation of sections 26 to 28.

**NOTE AS TO EARLIER COMMENCEMENT
ORDERS**

(This note is not part of the Order)

The following provisions of the 2012 Act have been brought into force in relation to Wales by a Commencement Order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 56	1 October 2012	2012 No. 2499 (W.274) (C.98)

Schedule 4	1 October 2012	2012 No. 2499 (W.274) (C.98)
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Made

24 June 2013

The Welsh Ministers, in exercise of the powers conferred upon them by section 120(2) and (3) of the Protection of Freedoms Act 2012⁽¹⁾, make the following Order:

Title

1. The title of this Order is the Protection of Freedoms Act 2012 (Commencement No. 2) (Wales) Order 2013.

Appointed day

2. The day appointed for the coming into force of the provisions in Chapter 2 of Part 1 of the Protection of Freedoms Act 2012 Act in so far as they relate to schools and further education institutions is 1 September 2013.

Leighton Andrews

Minister for Education and Skills, one of the Welsh Ministers

24 June 2013

(1) 2012 c.9.