

National Assembly for Wales

Constitutional and Legislative Affairs Committee

Statutory Instruments with Clear Reports

2 November 2015

CLA591 - The Education (Pupil Referral Units) (Application of Enactments) (Wales) (Amendment) Regulations 2015

Procedure: Negative

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 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.

CLA592 - The Well-being of Future Generations (Wales) Act 2015 (Consequential Provisions) Regulations 2015

Procedure: Affirmative

These Regulations make consequential provisions in relation to the Well-being of Future Generations (Wales) Act 2015 (“the Act”).

Regulation 3 makes provision in relation to section 15 of the Act which defines the reporting period for the Auditor General for Wales’s examinations. This section is due to come into force less than one year before the next ordinary general election to the National Assembly for Wales. Consequentially, there may be doubt as to when the first reporting period described in subsection (6) of section 15 is to begin. This regulation therefore modifies section 15(6)(a) to make it clear that the first reporting period under this section begins one month before the next election (in practice this will be 5 April 2016).

Regulation 4 makes provision in relation to the Future Generations Commissioner for Wales (“the Commissioner”) in respect of the estimates of income and expenses for the financial year 2016-2017. Paragraph 19 of Schedule 2 to the Act provides that for each financial year other than the first, the Commissioner must prepare an estimate of the income and expenses of the Commissioner and the Commissioner’s staff. The Commissioner is required pursuant to paragraph 19(2) of Schedule 2 to the Act, to submit the estimate to the Welsh Ministers at least five months before the beginning of the financial year to which it relates.

Given the timeframe for the appointment of the Commissioner, the Regulations make consequential provision modifying paragraph 19(2) of Schedule 2 to the Act so that, for financial year 2016-2017 only,



the Commissioner must submit the estimate three months after the Commissioner is appointed by the Welsh Ministers.

CLA593 - The Adoption Information and Intermediary Services (Pre-Commencement Adoptions) (Wales) (Amendment) Regulations 2015

Procedure: Negative

These Regulations amend the Adoption Information and Intermediary Services (Pre-Commencement Adoptions) (Wales) Regulations 2005, which make provision under section 98 of the Adoption and Children Act 2002 for the purpose of assisting persons adopted before 30 December 2005 to obtain information about their adoption and to facilitate contact between those persons and their birth relatives.

