NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

ELLS(2) 13-06(P2)

2004

NAME/ WORKING TITLE OF SI	PURPOSE/EFFECT	ANTICIPATEDPROCEDURE/ PROJECTED MONTH LEGISLATION TO BE MADE	STANDING ORDER/LE ADING DIV.
ELL-20-04 Education (LEA/School Partnership) (Wales) Regulations 2006	Section 197 of the Education Act 2002 provides that the Assembly may make regulations requiring LEAs to put in place a partnership agreement with each of their maintained schools. The regulations will specify issues such as the categories of school to which the agreements will apply, what the agreements should cover, their duration etc	Feb 2007 Standard Procedure	SO24 SMD

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2005

NAME/ WORKING TITLE OF SI	PURPOSE/EFFECT	ANTICIPATEDPROCEDURE / PROJECTED MONTH LEGISLATION TO BE MADE	STANDIN G ORDER
ELL-02-05	Relating to sections 24-26 of the Education Act 2002.	Summer 2007	SO24
Education (Federation and Collaboration of Governing Bodies) (Wales) Regulations 2006	The purpose is to allow governing bodies to federate as a single governing body; and to facilitate collaboration between schools by allowing governing bodies to work together to jointly discharge any of their functions.	Standard Procedure	SMD
ELL-03-05	Sections 57-59 of the Education Act 2002 provide	December 2006	SO 24
Education (Interim Executive Boards) (Wales) Regulations 2006	LEAs and the Assembly with new powers to appoint a specially constituted governing body(Interim Executive Board) in a school in place of the existing governors in certain circumstances. The regulations will prescribe the powers and duties of the Interim Executive Board and also of a shadow governing body in the period of transition from the Interim Executive Board back to a normally constituted governing body.	Standard Procedure NB These regs are no longer the responsibility of SMD2	PID
ELL-04-05 Education (Control of School	Relating to section 31 of the Education Act 2002. These regulations will put legislation in place for	Late 2007 Standard Procedure	SO24
Premises) (Wales) Regulations 2006	governing bodies covering the control and occupation and use of school premises during and outside school hours. They will replace existing provisions which are in primary legislation.		SMD

ELL-06-05 Education (School Companies)	Relating to sections 11-12 of the Education Act 2002. These regulations will allow a governing body of a	Late 2007 Standard Procedure	SO24
(Wales) Regulations 2006	school to form a company, or participate in forming companies in order to purchase and provide services or facilities for that school and other participating schools.		SMD
ELL-13-05 Accounts of Maintained Schools and Financial Statements Regulations 2006	Relating to sections 44 and 45 of the Education Act 2002. These sections will allow requirements to be imposed as to the way maintained schools keep accounts, and report information based upon those accounts. This will provide a consistent minimum standard for school financial reporting, and enable all schools to compare their expenditure with that of similar schools.	Target December 200 7 Standard Procedure	SO24 SMD
ELL - 22-05 The Education (School Organisation Proposals) (Wales) Regulations 2006	These Regulations revoke and revise the Education (School Organisation Proposals) (Wales) Regulations 1999. References to the MOE methodology for determining school capacity and the procedure for changing standard numbers to be removed as the new capacity assessment method will be set out in statutory guidance. Requirements in relation to changes in school organisation requiring statutory proposals and the publication and provision of information will be clarified.	late 2006 or early 2007 Standard Procedure	SO 24 SMD
ELL- 23-05 Disability Discrimination (Prescribed Periods for Accessibility Strategies and Plans for Schools) (Wales) Regs 2006	Regulations to replace the Disability Discrimination (Prescribed Periods for Accessibility Strategies and Plans for Schools) (Wales) Regs 2004 to take account of the fact that once nursery schools have governing bodies they will be required to plan to increase access for disabled pupils.	January 2007 Standard Procedure	SO 24 SMD

ELL-36-05 The National Council for	This order will abolish the National Council for Education and training for Wales and transfer its	Came into force 1 April 2006	SO 24
Education and Training for Wales (Transfer of functions to the National Assembly for Wales and Abolition) Order 2005	functions, assets and liabilities to the National Assembly for Wales with any appropriate consequential, incidental, supplemental or transitional provisions or savings		HED
ELL-43-05 Children and Young People's Plan (Wales) Regulations 2006	Section 26 of the Children Act 2004 introduces a power under which the Assembly may require a Children's Services Authority (local authority) in Wales to prepare and publish a plan or a framework of plans setting out its strategy for discharging its functions in relation to children and relevant young people.	Target coming into force 1 January 2007 Standard Procedure	SO24 CSD
ELL-46-05 The Civil Partnership Act 2004 (Consequential Amendments) (Wales) Order 2005	To amend Assembly delegated legislation that the Assembly has power to amend so as to include references to the new type of legal relationship created by the Civil Partnership Act 2004. The draft SI will be scrutinised by the Equality of Opportunity Committee. All other Standing Committees are being notified of the proposed legislation		EPU

ELL 51 –05 The General Teaching Council for Wales (Constitution) (Amendment) Regulations 2007	To amend the General Teaching Council for Wales (Constitution) Regulations 1999, as amended, which govern the arrangements by which members of the Council are elected and appointed.	March 2007 Standard Procedure	SO24 PID
ELL-56-05 Transition from Primary to Secondary School Regulations	S.198 of the Education Act 2002 provides Wales-only powers for the National Assembly for Wales to require the governing bodies of maintained secondary schools and their feeder primary schools, jointly, to draw up transition plans. Such plans are intended to facilitate the transition from primary school to secondary school of pupils who have completed Year 6.	Standard Procedure The draft relations are to be debated by the Assembly in Plenary on 28 February and to be made on that date. It is proposed that they will come into force on 1 September 2006	SO24 PID
ELL-57-05 The Education (School Day and School Year) (Wales) Regulations 2006	Regulations to be made under section 551 and 569(4) and (5) of the Education Act 1996 will provide for two additional INSET days during academic years 2006/07 and 2007/08 only.	Came into force 1 September 2006	SO 24 PID
ELL-60-05 Higher Education Act (2004) (Comment No3 and Transitional Provisions) (Wales) Order 2005	To commence provisions of the Act which give the National Assembly for Wales functions relating to tuition fees set by Higher Education Institutions in Wales. The National Assembly for Wales has determined that Higher Education Institutions in	On hold pending further advice to ELLM	SO24 HED

	Wales should have the flexibility to charge tuition fees up to a level of £3000 from the academic year 2007-08. To do so, S27 and S28 of the Higher Education Act 2004 must be commenced.		
ELL-61-05 Student Fees (Wales) Regulations 2006	The National Assembly for Wales has determined that Higher Education Institutions in Wales should have the flexibility to charge tuition fees up to a level of £3000 from the academic year 2007-08. The regulations provide that students falling into certain categories will not be required to pay the higher fee. These are students from the 2005-06 and preceding cohorts, as well as those students applying now for entry in 2006-07 but who decide to take a gap year.	On hold pending further advice to ELLM	SO24 HED
ELL-63-05 The Education Act 2005 (Commencement No 1)(Wales) Order 2005	The Order will bring into force the provisions of the Education Act 2005	The order was agreed in plenary on 16 May 2006. Schedule 1 and 2 will come into force on 1 September 2006; and Schedule 3 on 1 April 2007.	CSD SO 24
ELL-65-05 Children Act 2004 (Commencement No. 7) (Wales) Order 2006	To bring into force sections 25 and 31 in line with other provisions within the Children Act 2004 (Commencement No 6) (Wales) Order 2006 (ELL-50-05 above). Section 25 Imposes a duty on a Children's Services Authority in Wales to make arrangements to promote co-operation to improve the well being of children in its area. A power is provided for all specified partners to pool funds and other non-pecuniary resources. Section 31 places a duty on local authorities to	Accelerated Procedure Came into force 1 September 2006	SO 25(2) CSD

	establish Local Safeguarding Children Boards (LSCBs). This provision falls within the remit of the H&SS Committee.		
ELL-66-05 The Education (School Inspection) (Wales) Regulations 2006	The Regulations support school inspection provisions in the Education Act 2005 planned to be commenced 1 September 2006. They consolidate and revoke The Education (School Inspection) (Wales) Regulations 1998 (SI No. 1866), Education (School Inspection)(Wales)(Amendment) Regulations 2004 (SI No.784 (W.81) and the Education(Registered Inspectors)(Fees) Regulations 1992 with minor amendments. The regulations also include new provisions required for the purposes of Section 50(2) of the 2005 Act - relating to the new duty on schools designated with a religious character to consult with persons prescribed before choosing an inspector to carry out an inspection of collective worship and any denominational education given to pupils.	Came into force 1 September 2006	SO 24 PID
ELL-67-05 The Education (Full Time Youth and Community Work Training) (Inspection) (Wales) Regulations 2005	To enable Estyn to inspect the training of full time youth and community workers within higher Education.	Standard. Procedure Anticipated Regulations will come into force 23 rd of October subject to Ministerial and Business Committee agreement	YALO
ELL-70-05 The Inspection of the Careers and Related Services (Wales) Regulations 2006	Regulations will ensure that careers services and related services in Wales are subject to a similar system of inspection as other education and training within the Chief Inspector's remit	Regulations will come into force from 1 April 2007	YALO

NEW ADDITIONS & CHANGES ARE HIGHLIGHTED IN BOLD

2006

NAME/ WORKING TITLE OF SI	PURPOSE/EFFECT	ANTICIPATEDPROCEDURE/ PROJECTED MONTH LEGISLATION TO BE MADE	STANDING ORDER/LE ADING DIV.
ELL-05-06 The Education (Pupil Referral Units) (Application of Enactments)(Wales) Regulations 2006	The Education Act 1996 (Section 19) requires local education authorities to make arrangements for the provision of suitable education at school or otherwise than at school for those children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them. Any school established and maintained by a local education authority which is specially organised to provide education for such children is known as a pupil referral unit (PRU). Schedule 1 to the Act provides for adaptations and modifications of the application of enactments to pupil referral units. These Regulations would ensure that a number of statutory requirements for maintained schools would also apply to PRUs.	Accelerated or standard March 2007	S024 ANID

ELL-06-06 Education (Fees & Awards)(Amendment)(Wales) Regulations 2006	Section 2 of the Education (Fees & Awards) Act 1983 was devolved in 1999 and deals with discretionary awards powers. The EU Directive 2004/38/EC requires member states to make changes covering eligibility criteria on those who can be assessed as having a 'connection to the UK' The existing 1997 Regulations need to be amended to bring these in line with the EU requirements.	Accelerated Standard Procedure. Regulations predicated on DfES legislation. Timetable confirmed. Regulations came into force on 7 July 2006	SO24 SFD I
ELL-07-06 Assembly Learning Grants and Loans (Higher Education) (Wales)(Amendment) Regulations 2006	To amend Welsh Regs No 126 Schedule 1- to cover wider eligibility criteria under the EU Directive 2004/58/RC and well as dealing with technical in-year amendments.	Standard Procedure Regulations predicated on DfES legislation. Timetable confirmed. The Regulations came into force on 14 July	SO24 SFD
ELL-08-06 Supply of Student Support Information to Governing Bodies (Wales) Regulations 2006	To enable SLC and HEIs to exchange student details to facilitate the payment of bursaries. Powers provided by section 45 of the Higher Education Act 2004 This change will reduce the bureaucracy for eligible students and HEIs by allowing them to use student data already held in the student support system to assess and pay bursaries.	Standard Procedure. To be in force by 27 October 2006	SO24 SFD
ELL-09-06 Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2007	To put in place the student support regime for the 2007/08 academic year.	Standard procedure To be in force for 1 April 2007	SO24 SFD

ELL-12-06 The Higher Education Act 2004 (Commencement No.2 and Transitional Provision)(Wales)(Amendment) Order 2006	To bring forward the commencement date of the transfer of student support policy to Wales, by amending the original commencement SI 2005 No 1883 (W.149). Moving the date forward from the 1 st September 2006 will allow the Assembly to transfer functions under section 23 of the 1998 Higher Education Act to the LEAs and the SLC, enabling them to fulfil their roles in the delivery of the student support system in AY 2006/07.	Standard procedure. Timetable confirmed. The Coming into force date was 23 June 2006.	SO25.2 SFD
ELL-13-06 The Education (Student Support)(European Institutions)(Wales) Regulations 2006	Regulations required for the Assembly to provide support to Welsh students attending 3 European institutions – the Bologna Center, the College of Europe and the European University Institute. The regulations will set out the eligibility criteria and also implement the provisions of the EU Directive 2004/38/EC on the movement of citizens.	Accelerated procedure. Timetable confirmed. Regulations came into force on 7 July 2006	SO24 SFD
ELL-14-06 Adventure Activities (Licencing) (Designation) Order 2006	The Designation Order will designate the Health and Safety Executive (HSE) as the Adventure Activities Licensing Authority (AALA) in relation to Wales in place of the current AALA, Tourism Quality Services Ltd. The DO will be made jointly with DfES Ministers for England and Scotland. The purpose is to achieve merger of the AALA with the HSE in line with the recommendation of HM Treasury's Hampton regulatory reform review which considered how to reduce administrative burdens on business.	Standard procedure. Timetable to be confirmed. Target coming into force date 1/10/06	SO25, Section 3 SMD

ELL-16-06 Education (Listed Bodies) (Wales) Order 2006	This Order lists the name of every body which is not a recognised body within section 216(4) of the Education Reform Act 1988 but which either - (a) provides any course which is in preparation for a degree to be granted by such a recognised body and is approved by or on behalf of that body; or (b) is a constituent college, school, hall or other institution of a university which is such a recognised body. Every university, college or other body that is authorised by Royal Charter or by or under Act of Parliament to grant degrees and every other body for the time being permitted by these bodies to act on their behalf in the granting of degrees, is a recognised body. This Order is to replace the current Listed Bodies order and is administrative and technical in nature.	CIF = 2 nd December 2006 Standard procedure	SO24 HED
ELL-17-06 Independent School (Miscellaneous Amendments) (Wales) Regulations 2007	Amend The Education Standards (Wales) in line with Statutory Instrument 2004 No.3374 The Education (Independent School Standards) (England) (amendment) Regulations 2004.Page 4 Paragraph (b). This would ensure that CRB checks would be required for the proprietor or the Chair of the Directors/Trustees instead of all Directors/Trustees which is currently unmanageable.	June 2006 Standard procedure CIF 1 January 2007	SO24 ANID

ELL 18-06 Tax Credits (Approval of Child Care Providers)(Wales) Scheme 2007	This scheme provides for the approval of child care providers for the purposes of section 12(5) of the Tax Credits Act 2002. The effect of the scheme will be that parents employing approved childcare in the family home will be eligible to apply for childcare tax credits, as well as to access the income tax and national insurance-related benefits associated with employer-provided childcare vouchers.	Standard Procedure Target CIC date 1 st February	SO24
ELL-19-06 HSS 4 (06) The Care Standards Act 2000 and the Children Act 1989 (Miscellaneous Amendments) (Wales) Regulations 2006	To make across the board amendments to the regulations for services registered with CSIW, in the light of recent developments in the form of regulatory practice and the handing of complaints	Standard procedure; plenary debate in November for c.i.f. 1 January 2007. HSSC scrutiny on September 21; ELLC scrutiny must take place no later than October 5 if required.	SO 24
ELL-21-06 Education (Admission Appeals Arrangements)(Amendment) (Wales) Regulations 2006	This amendment is intended to clarify that, in infant class size appeals, fresh evidence cannot be considered at that appeal stage except for material submitted by the parents in order to establish the factual basis for their claim that no reasonable admission authority would have made that decision.	May 2007	SO24 SMD
ELL-22-06 The Designation of Schools Having a Religious Character (Wales) Order 2006	This Order designates schools in Wales which have a religious character and will revoke and replace The Designation of Schools Having a Religious Character (Wales) Order 1999 and The Designation of Schools Having a Religious Character and Amendments (Wales) Order 2004.	May 2007	SO24 SMD

ELL-25-06 Smoke-free Premises etc (Wales) Regulations 2007	To prevent exposure to environmental tobacco smoke in enclosed public places and workplaces.	To Plenary 23 January 2007 Coming into force 2 April 2007 Standard Procedure	SO 24 PHID
ELLS-26-06 The Education Maintenance Allowance (Wales) Regulations 2007	The purpose of the Regulations is to place the Education Maintenance Allowance, Wales (EMA) scheme onto a statutory basis, bringing the scheme into line with other statutory student support products provided by Student Finance Wales. To ensure that students can apply for an EMA and receive payment for an EMA, in line with WAG policy for student support in 2007/2008 The scheme is administered by the Student Loans Company (SLC) and the proposed Regulations will include several enhancements to the current system.	Accelerated procedure. Timetable to be confirmed. Coming into force date is 13 July 2007.	SO 24 SFD
ELLS-27-06 The Assembly Learning Grant (Further Education) Regulations 2007	The purpose of the Regulations is to place the Assembly Learning Grant, Further Education (ALG FE) scheme onto a statutory basis, bringing the scheme in line with other statutory student support products that are provided by Student Finance Wales. To ensure that sutdents can apply for an ALG and receive payment for an ALG, in line with WAG policy for student support in 2007/08.	Accelerated procedure. Timetable to be confirmed Coming into force date is 1 July 2007	SO 24 SFD

ELLS-28-06 The Assembly Learning Grant (Higher Education) Regulations 2007.	The purpose of the Regulations is to place the Assembly Learning Grant, Higher Education (ALG HE) scheme onto a statutory basis, bringing the scheme in line with other statutory student support products that are provided by Student Finance Wales. To ensure that students can apply for an ALG and receive payment for an ALG, in line with WAG policy for student support in 2007/08.	Accelerated procedure. Timetable to be confirmed Coming into force date is 1 July 2007	SO 24 SFD
ELLS-29-06 Assembly Learning Grants and Loans (Higher Education) (Wales) Regulations 2008	To put in place the student support regime for the 2008/09 academic year.	Post 2007 arrangements – Negative procedure (Standard procedure – SO24) To be in force for 1 September 2007	SO24 SFD
ELLS 30-06 The Education (Assisted Places) (Amendment) (Wales) Regulations 2006 & Education (Assisted places) (incidental Expenses) (Amendment) (Wales) (Regulations 2006	Annual legislation to adjust regulatory framework to reflect inflationary adjustments on payments made to parents whose children are benefiting from the Assisted Places Scheme.	November 2006 Accelerated	S0 24 ANID
ELLS 31-06 The Children's Commissioner for Wales Regulations 2007	To amend Article 13 of the Children's Commissioner for Wales Regulations, so that the Children's Commissioner is able to produce joint reports with the Commissioner for Older People Wales once he is appointed	Feb 2007 Standard procedure with debate	SO24 CSD

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Please note there are 2 SO26 and 4 SO 29's. (See below)

Standing Orders 26, 28 and 29

NAME/ WORKING TITLE OF SI	PURPOSE/EFFECT	ANTICIPATEDPROCEDURE / PROJECTED MONTH LEGISLATION TO BE MADE	STANDIN G ORDER
ELL-69-05 Requirement for the production of a Transition Plan to facilitate the transition of pupils from primary school to secondary school.	The requirement will set out the circumstances in which a secondary school and its feeder primaries will be required to produce a Transition Plan to meet the terms of s198 of the Education Act, 2002. The requirement will come into force alongside ELL-56-05- Transition from Primary to Secondary School Regulations which set out the ground to be covered in a Transition Plan and the timescale for the production and revision of such plans.	Standard Procedure The Requirement is to be debated by the Assembly in Plenary on 28 February and to be made on that date. It is scheduled to come into force on 1 September 2006.	SO 29 PID
ELL-01-06 Regulatory Reform (Local Authorities) (England and Wales) Order 2006	To amend paragraph 6 of Schedule 1 to the Education Act 1996 to remove the requirement on local education authorities to seek the Secretary of State's or the National Assembly for Wales' approval with regard to their arrangements for the consideration and disposal of any complaint that the LEA, or teacher in charge of the Pupil Referral Unit, have acted unreasonably with respect to certain functions or have failed to discharge their duty to provide a balanced and broadly based curriculum at a Pupil Referral Unit. No requests have been received by the National Assembly for Wales in recent years.	May 2006 Awaiting new timetable from DCLG	SO 26 ANID

ELL-15-06 The Teacher Training Incentives Scheme	This Scheme allows the National Assembly for Wales to pay incentive grants to eligible persons undergoing a postgraduate initial teacher training (ITT) course; and incentive grants to eligible persons taking up particular teaching posts.	The scheme was made on 19 September and came into force on 21 September	SO29 Practitione rs Division
	The previous Scheme (made in 2005) covers the grants payable to ITT students on PGCE courses in the 2005-06 academic year. The Scheme for 2006-07 onwards reflects the different levels of incentive grant and amendments to the list of priority subjects announced by the Minister on 23 September 2005. In addition, the revised arrangements allow payments to ITT students on Open University (OU) courses in anticipation of the accreditation by the Higher Education Funding Council for Wales of the OU as a Welsh ITT provider.		
ELL 20-06 Approval of Qualifications under Section 99 of Learning and Skills Act 2000	The Approval of Qualifications is updated termly. Unless an external qualification is approved, courses leading to it cannot be provided for learners under 19 year old by or on behalf of a maintained school, or funded by the National Assembly for Wales and LEAs.	Expected to come forward in November 2006	SO 29 Q&C 14-19

ELL-23-06The Placement of Children	To strengthen duties on local authorities and their partners (particularly in Health) in respect of	1 July 2007	SO 29 CHSSD
(and Miscellaneous Amendments) (Wales) Regulations 2007 The Children's Homes (Wales)(Amendment) Regulations 2007 The Local Health Board Functions (Wales)(Amendment) Regulations 2007	placement and review arrangements and health and education provision for looked after children and care leavers. In addition changes to the Responsible Commissioner for secondary health care for vulnerable children (including looked after children) placed away from home.	Standard Procedure with debate	
ELL-24-06 Sex Discrimination Act 1975 (Public Authorities) (Statutory Duties) order 2006	The order will introduce a 'gender duty' for all public authorities in the UK who will be required to: • promote equality of opportunity between men and women; and • eliminate unlawful sex discrimination and harassment	Will go to plenary on 10 October 2006 after which it will be laid in Parliamant. The Committee have already been informed of the legislation via email in February 2006 and a letter from the Business Minister in August 2006.	SO 26