
STATUTORY INSTRUMENTS

2017 No. 121

**ROAD TRAFFIC
TERMS AND CONDITIONS OF
EMPLOYMENT, SCOTLAND
TERMS AND CONDITIONS OF
EMPLOYMENT, NORTHERN IRELAND**

The Qualifications Wales Act 2015
(Consequential Provision) Order 2017

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| <i>Made</i> | - - - - | <i>8th February 2017</i> |
| <i>Laid before Parliament</i> | | <i>9th February 2017</i> |
| <i>Coming into force</i> | - - | <i>1st April 2017</i> |

The Secretary of State makes the following Order in exercise of the powers conferred by section 150(1)(a) and (b) and (2)(a) of the Government of Wales Act 2006(1).

Citation and commencement

1. This Order may be cited as the Qualifications Wales Act 2015 (Consequential Provision) Order 2017 and comes into force on 1st April 2017.

The Motor Vehicles (Driving Licences) Regulations 1999

2.—(1) The definition of “educational qualification” in regulation 22 of the Motor Vehicles (Driving Licences) Regulations 1999(2) is amended as follows.

(2) Omit paragraphs (c) and (d).

(3) The paragraph (f) that extends to England and Wales also extends to Scotland (consequently omit the paragraph (f) that immediately before the coming into force of this Order extended to Scotland).

(1) 2006 c. 32.

(2) S.I. 1999/2864; the definition of “educational qualification” was inserted by S.I. 2010/1203. Paragraph (f) of the definition was amended, as regards England and Wales, by regulation 7 of S.I. 2016/236 (W.88). There are other amendments of S.I. 1999/2864 but none is relevant.

The National Minimum Wage Regulations 2015

3.—(1) Paragraph (b) of the definition of “further education course” in regulation 3 of the National Minimum Wage Regulations 2015⁽³⁾ is amended as follows.

(2) The sub-paragraphs (ii) and (iii) that extend to England and Wales also extend to Scotland and Northern Ireland (consequently omit the sub-paragraphs (ii) and (iii) that immediately before the coming into force of this Order extended to Scotland and Northern Ireland).

(3) Omit the sub-paragraph (iv) that immediately before the coming into force of this Order extended to Scotland and Northern Ireland.

Gwydyr House,
London
8th February 2017

Alun Cairns
Secretary of State
Wales Office

(3) [S.I. 2015/621](#); paragraph (b) of the definition was amended, as regards England and Wales, by regulation 19 of [S.I. 2016/236 \(W.88\)](#). There are other amendments of [S.I. 2015/621](#) but none is relevant.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision in consequence of the [Qualifications Wales Act 2015 \(anaw 5\)](#) (“the 2015 Act”); an Act passed by the National Assembly for Wales. Section 2 of the 2015 Act created a new body called Qualifications Wales, responsible for regulating qualifications awarded in Wales. This Order also makes provision in consequence of the [Qualifications Wales Act 2015 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/236 W. 88\)](#) (“the 2016 Regulations”).

The 2016 Regulations were made by the Welsh Ministers to update references in other legislation, to refer to the new system of qualification regulation. The amendments made by the 2016 Regulations extend to England and Wales only and some amendments applied only in relation to Wales. However, because some of the legislation amended by the 2016 Regulations has a wider extent than could be made by the 2016 Regulations, this Order makes consequential amendments to two statutory instruments to ensure that they have the required territorial extent.

Regulation 7 of the 2016 Regulations amended regulation 22 of the [Motor Vehicles \(Driving Licence\) Regulations 1999 \(S.I. 1999/2864\)](#) (“the 1999 Regulations”), as it extends to England and Wales, so that the definition of “educational qualification” refers to a qualification awarded by a body recognised by Qualifications Wales. Article 2(2) of this Order further amends that definition to remove two redundant references to qualifications accredited by Welsh Ministers in paragraphs (c) and (d). The Article 2(2) amendment extends to Scotland and to England and Wales. Article 2(3) of this Order provides that the amendment to paragraph (f) of the definition of “educational qualification”, made by regulation 7 as regards England and Wales, also extends to Scotland. Article 2(3) also omits the previous paragraph (f) as it extends to Scotland.

Regulation 19 of the 2016 Regulations amended regulation 3 of the [National Minimum Wage Regulations 2015 \(S.I. 2015/621\)](#) (“the 2015 Regulations”), as it extends to England and Wales, to update the definition of “further education course” so that it refers to qualifications awarded by a body recognised by Qualifications Wales. It did that by replacing sub-paragraphs (ii), (iii) and (iv) of paragraph (b) of regulation 3 with new sub-paragraphs (ii) and (iii) that extend to England and Wales. Article 3(2) of this Order provides that the new sub-paragraphs (ii) and (iii) also extend to Scotland and Northern Ireland and consequently omits the previous sub-paragraphs (ii) and (iii) that extend to Scotland and Northern Ireland. Article 3(3) of this Order ensures sub-paragraph (iv) of paragraph (b) of the definition of “further education course” in regulation 3 of the 2015 Regulations is omitted for Scotland and Northern Ireland as well as England and Wales.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.