

## SCHEDULE 4

### MINOR AND CONSEQUENTIAL AMENDMENTS

#### *Education Act 1997 (c. 44)*

- 9 (1) The Education Act 1997 is amended as follows.
- (2) In Part 6, in the heading to Chapter 1, after “AUTHORITIES”, insert “IN WALES”.
- (3) In section 38 (inspection of local authorities)—
- (a) in subsection (1)—
    - (i) in paragraph (b), for “the Secretary of State” substitute “the Welsh Ministers or the Commission for Tertiary Education and Research (“the Commission)”
    - (ii) after “authority”, insert “in Wales”
  - (b) after subsection (2A) insert—

“(2B) Where the Commission has made a request under subsection (1) (b), the review mentioned in subsection (2A) is to be of the way that the local authority is performing the functions mentioned in subsection (2A)(a) and (b) in so far as those functions relate to further education and training within the meaning of section 144(2) to (5) of the Tertiary Education and Research (Wales) Act 2022.”
  - (c) in subsection (3), for “the Secretary of State” substitute “the Welsh Ministers or the Commission”
  - (d) in subsection (4), for “the Secretary of State” substitute “the Welsh Ministers or the Commission”
  - (e) in subsection (6), after “authority”, insert “in Wales”
  - (f) in the heading, after “authorities”, insert “in Wales”.
- (4) In section 39 (report of inspection of local authority and action plan), in subsection (1) —
- (a) omit the “and” at the end of paragraph (a)
  - (b) for paragraph (b) substitute—
    - “(b) the Welsh Ministers, and
    - (c) where the matters reviewed relate to further education and training within the meaning of section 144(2) to (5) of the Tertiary Education and Research (Wales) Act 2022, the Commission for Tertiary Education and Research.”