

Status: Point in time view as at 06/09/2015.

Changes to legislation: Government of Wales Act 2006, Cross Heading: Functions conferred or imposed by pre-commencement enactment: Parliamentary and Assembly procedure is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 11

TRANSITIONAL PROVISIONS

Functions conferred or imposed by pre-commencement enactment: Parliamentary and Assembly procedure

- 34 (1) This paragraph applies where—
- (a) a function to make subordinate legislation was conferred or imposed on the Assembly constituted by the Government of Wales Act 1998 (c. 38) by a pre-commencement enactment (“the Welsh function”),
 - (b) the Welsh function has been transferred to the Welsh Ministers, the First Minister or the Counsel General by or by virtue of paragraph 30 or 31, and
 - (c) when the Welsh function was transferred, a Minister of the Crown had the same or substantially the same function exercisable in relation to England (“the corresponding function”).
- (2) If, immediately after the transfer of the Welsh function, a provision of any of the descriptions specified in sub-paragraph (4)—
- (a) applied to the exercise of the corresponding function by the Minister of the Crown, but
 - (b) did not apply to the exercise of the Welsh function by the Welsh Ministers, the First Minister or the Counsel General,
- the provision applies to any exercise of the Welsh function by the Welsh Ministers, the First Minister or the Counsel General as if any reference in it to Parliament or either House of Parliament were a reference to the Assembly.
- (3) ^[F1]Subject to sub-paragraphs (4A) and (4B),] If, immediately after the transfer of the Welsh function, a provision of any of the descriptions specified in sub-paragraph (4) applied to both—
- (a) the exercise of the corresponding function by the Minister of the Crown, and
 - (b) the exercise of the Welsh function by the Welsh Ministers, the First Minister or the Counsel General,
- the provision applies to any exercise of the Welsh function by the Welsh Ministers, the First Minister or the Counsel General as if any reference in it to Parliament or either House of Parliament were a reference both to the Assembly and to Parliament or either House of Parliament.
- (4) The descriptions of provision referred to in sub-paragraphs (2) and (3) are—
- (a) provision requiring any instrument made in the exercise of the function, or a draft of any such instrument, to be laid before Parliament or either House of Parliament,
 - (b) provision for the annulment or approval of any such instrument or draft by or in pursuance of a resolution of either House of Parliament or of both Houses, and

Status: Point in time view as at 06/09/2015.

Changes to legislation: Government of Wales Act 2006, Cross Heading: Functions conferred or imposed by pre-commencement enactment: Parliamentary and Assembly procedure is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (c) provision prohibiting the making of any such instrument without such approval.

[^{F2}(4A) Section 1(5) of the Travel Concessions (Eligibility) Act 2002 (parliamentary procedure) applies to an order made by the Welsh Ministers under section 1(4) of that Act (order changing minimum age for the purposes of eligibility for travel concessions) as if the reference to either House of Parliament were a reference to the Assembly.

(4B) Section 268(13) of the Enterprise Act 2002 (parliamentary procedure) applies to an order made by the Welsh Ministers under section 268(1) of that Act (order in relation to disqualification from office) as if the reference to each House of Parliament were a reference to the Assembly.]

(5) If, immediately after the transfer of the Welsh function, a provision of either of the descriptions specified in sub-paragraph (7)—

- (a) applied to the exercise of the corresponding function by the Minister of the Crown, but
- (b) did not apply to the exercise of the Welsh function by the Welsh Ministers, the First Minister or the Counsel General,

an instrument made in any exercise of the Welsh function by the Welsh Ministers, the First Minister or the Counsel General is subject to the procedure in the Assembly specified by the standing orders.

(6) If, immediately after the transfer of the Welsh function, a provision of either of the descriptions specified in sub-paragraph (7) applied to both—

- (a) the exercise of the corresponding function by the Minister of the Crown, and
- (b) the exercise of the Welsh function by the Welsh Ministers, the First Minister or the Counsel General,

the instrument made in any exercise of the Welsh function by the Welsh Ministers, the First Minister or the Counsel General is subject to that provision and to the procedure in the Assembly specified by the standing orders.

(7) The descriptions of provision referred to in sub-paragraphs (5) and (6) are—

- (a) provision for any instrument made in the exercise of the function to be a provisional order (that is, an order which requires to be confirmed by Act of Parliament), and
- (b) provision requiring any order (within the meaning of the Statutory Orders (Special Procedure) Act 1945 (9 & 10 Geo. 6 c. 18)) made in the exercise of the function to be subject to special parliamentary procedure.

(8) In this paragraph—

“make” includes confirm or approve and related expressions are to be construed accordingly, and

“pre-commencement enactment” means an enactment contained in an Act passed or subordinate legislation made before the end of the initial period.

(9) This paragraph does not apply if the Welsh function was transferred as a result of the operation of paragraph 30(2)(b) (see paragraph 28 and section 59).

Status: Point in time view as at 06/09/2015.

Changes to legislation: Government of Wales Act 2006, Cross Heading: Functions conferred or imposed by pre-commencement enactment: Parliamentary and Assembly procedure is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F1** Words in Sch. 11 para. 34(3) inserted (2.5.2007) by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), arts. 1(3), 4, Sch. 2 para. 3(a)
- F2** Sch. 11 para. 34(4A)(4B) inserted (2.5.2007) by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), arts. 1(3), 4, Sch. 2 para. 3(b)

Modifications etc. (not altering text)

- C1** Sch. 11 para. 34 excluded (1.4.2008) Mental Health Act 2007 (c. 12), ss. 50(10)(a), 56; S.I. 2008/745, art. 4

- 35 (1) This paragraph applies where—
- a function to make subordinate legislation was conferred or imposed on the Assembly constituted by the Government of Wales Act 1998 (c. 38) by a pre-commencement enactment,
 - the function has been transferred to the Welsh Ministers, the First Minister or the Counsel General by or by virtue of paragraph 30 or 31, and
 - when the function was transferred, no Minister of the Crown had the same or substantially the same function exercisable in relation to England.
- (2) No procedure for scrutiny by the Assembly applies to any instrument made in the exercise of the function, or a draft of any such instrument, unless the function is specified in Table 1 or Table 2.
- (3) No subordinate legislation is to be made by the Welsh Ministers, the First Minister or the Counsel General in the exercise of any function specified in Table 1 unless a draft of the statutory instrument containing it has been laid before, and approved by a resolution of, the Assembly.

TABLE 1

<i>Function</i>	<i>Description</i>
Section 45B(1) of the Environmental Protection Act 1990 (c. 43).	Power to apply section 45A to Welsh waste collection authorities.
Section 45D of the School Standards and Framework Act 1998 (c. 31).	Power to repeal school funding provisions.
Section 8(3) of the Care Standards Act 2000 (c. 14).	Power to confer functions in relation to Part 2 services in Wales.
Section 72B(2) of that Act.	Power to amend list of persons reviewable by Commissioner.
Section 73(5A) of that Act.	Power to amend list of arrangements reviewable by Commissioner.
Section 76(4) of that Act.	Power to confer further functions on Commissioner.
Section 78(1A) of that Act.	Power to provide that person aged 18 or over is a child for the purposes of Part 5.

Status: Point in time view as at 06/09/2015.

Changes to legislation: Government of Wales Act 2006, Cross Heading: Functions conferred or imposed by pre-commencement enactment: Parliamentary and Assembly procedure is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Section 78(6) of that Act.	Power to make provision about persons to whom Part 5 applies.
Paragraph 2 of Schedule 2 to that Act.	Power to make provision about the appointment etc. of Commissioner.
Section 68(1) of the Local Government Act 2000 (c. 22), if exercised to amend or repeal any enactment contained in an Act.	Power to confer functions on Public Services Ombudsman for Wales.
Section 68(3) of that Act, if exercised to amend or repeal any enactment contained in an Act.	Power to make provision relating to Ombudsman's functions and expenses.
Section 70(1) of that Act.	Power to make provision about investigations by Ombudsman.
[^{F3} Section 20(1) of the Political Parties, Elections and Referendums Act 2000.	Power to transfer functions of the Local Government Boundary Commission for Wales.]
Section 3(4) of the Health (Wales) Act 2003 (c. 4).	Power to transfer functions of Wales Centre for Health to Welsh Minister.
Section 4(1) of that Act.	Power to establish Health Professions Wales (HPW).
Section 4(3) of that Act.	Power to provide for HPW to carry out Welsh Ministers' functions.
Section 5(8) of that Act.	Power to abolish HPW.
Section 83(2) of the Local Government Act 2003 (c. 26).	Power to make fire authorities in Wales major precepting authorities.
Section 92(2) of that Act.	Power to repeal section 24(3) of the Housing Act 1985 (c. 68).
Section 23(9) of the Anti-social Behaviour Act 2003 (c. 38).	Power to apply to Wales provisions about penalty notices in cases of truancy.
Section 75(1) of the Health and Social Care (Community Health and Standards) Act 2003 (c. 43), if exercised to amend or repeal any part of the text of an Act.	Power to require prescribed persons to provide explanation of documents etc.
Section 96 of that Act, if exercised to amend or repeal any part of the text of an Act.	Power to confer additional functions in relation to Welsh local authority social services.
Section 101(1) of that Act, if exercised to amend or repeal any part of the text of an Act.	Power to require prescribed persons to provide explanation of documents etc.
[^{F4} Section 33(3)(a)(ii) of the Higher Education Act 2004 (c. 8).]	[^{F4} Power to require institutions' plans to include provision relating to promotion of higher education.]

Status: Point in time view as at 06/09/2015.

Changes to legislation: Government of Wales Act 2006, Cross Heading: Functions conferred or imposed by pre-commencement enactment: Parliamentary and Assembly procedure is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Section 12(2) of the Public Audit (Wales) Act 2004 (c. 23).	Power to add to definition of “local government body in Wales”.
Section 39(1) of that Act, if exercised so as to include a declaration that a contravention is an offence.	Power to make provision about publication etc. of accounts.
Section 46(2) of that Act.	Power to apply sections 47 to 49 to other local government bodies.
Section 47(5) of that Act.	Power to shorten period within which body must publish information.
Section 62(1) of the Education Act 2005 (c. 18), if exercised to amend or repeal an enactment.	Power to change inspection framework for Wales.
Section 103(3) of that Act.	Power to repeal certain provisions in the Education Act 2002 (c. 32).
Section 124(1) of that Act, if exercised to amend or repeal an enactment.	Power to make consequential etc. provision.
[^{F5} Section 5(1) of the Transport (Wales) Act 2006.	Power to establish a joint transport authority to discharge specified transport functions for specified areas.]
[^{F6} Section 4(1) of the Commissioner for Older People (Wales) Act 2006.	Power to amend Schedule 2 to that Act.]
[^{F7} Section 6(5) of that Act.	Power to confer power on the Commissioner to require prescribed persons to provide information for the purposes of his functions under section 5.]
[^{F8} Section 7(1) of that Act.	Power to amend Schedule 3 to that Act.]
[^{F9} Section 16(4) of that Act.	Power to apply the joint working provisions in section 16 to persons other than the Ombudsmen specified in that section.]
[^{F10} Section 17(8) of that Act.	Power to amend subsection 17(6), which specifies persons with whom the Commissioner may work collaboratively under section 17.]
[^{F11} Section 18(10) of that Act.	Power to amend the definition of “permitted person” in section 18(9).]
[^{F12} Section 27(2) of that Act.	Power to amend the definition of “family health service provider in Wales” and “independent provider in Wales”.]

- (4) A statutory instrument containing subordinate legislation made by the Welsh Ministers, the First Minister or the Counsel General in the exercise of any function

Status: Point in time view as at 06/09/2015.

Changes to legislation: Government of Wales Act 2006, Cross Heading: Functions conferred or imposed by pre-commencement enactment: Parliamentary and Assembly procedure is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

specified in Table 2 is (unless a draft of the statutory instrument has been laid before, and approved by a resolution of, the Assembly) subject to annulment in pursuance of a resolution of the Assembly.

TABLE 2

<i>Function</i>	<i>Description</i>
F13	F13
...	...
F14	F14
...	...
F15	F15
...	...
F16	F16
...	...
F17	F17
...	...
F18	F18
...	...
F19	F19
...	...
F20	F20
...	...
F21	F21
...	...
F22	F22
...	...
F23	F23
...	...
F24	F24
...	...
F25	F25
...	...
Section 79S(2) of the Children Act 1989 (c. 41).	Power to confer functions relating to child minding or day care.
Section 79T(2) of that Act.	Power to make provision about inspection of child minding and day care.
Section 16A(3) of the Environment Act 1995 (c. 25).	Power to alter composition of regional flood defence committees in Wales.
[^{F26} Section 97D of the School Standards and Framework Act 1998.	Power to make provision about the admission of children looked after by

Status: Point in time view as at 06/09/2015.

Changes to legislation: Government of Wales Act 2006, Cross Heading: Functions conferred or imposed by pre-commencement enactment: Parliamentary and Assembly procedure is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

	local authorities in Wales to maintained schools in Wales.]
Paragraph 5(2) of Schedule 7 to the School Standards and Framework Act 1998 (c. 31).	Power to prescribe content and form of publication of proposals.
Paragraph 12(2)(d) of Schedule 7 to that Act.	Power to prescribe period within which objections to proposals may be made.
Paragraph 17(2) of Schedule 7 to that Act.	Power to make transitional exemption order relating to proposal for school to cease to be single sex.
Paragraph 13B(1) of Schedule 26 to that Act.	Power to prescribe period within which nursery inspection report must be made.
Section 73(5) of the Care Standards Act 2000 (c. 14).	Power to confer power on the Commissioner to require information.
Section 74(1) of that Act.	Power to provide for examination by Commissioner of particular cases.
Section 76(1) of that Act.	Power to confer power on Commissioner to assist children.
Paragraph 6(4) of Schedule 2 to that Act.	Power to specify the financial years of Commissioner.
Paragraph 8 of that Schedule.	Power to require Commissioner to make reports to Assembly.
Paragraph 17 of that Schedule.	Power to add Commissioner to the Superannuation Act 1972 (c. 11).
Section 77(4) of the Learning and Skills Act 2000 (c. 21).	Power to prescribe period within which report must be made.
Section 83(7) of that Act.	Power to make further provision about obligation to provide information.
Section 128(4)(b) and (c) of that Act.	Power about statement of proposed action.
Section 68(1) of the Local Government Act 2000 (c. 22), unless exercised to amend or repeal any enactment contained in an Act.	Power to confer functions on Public Services Ombudsman for Wales.
Section 68(3) of that Act, unless exercised to amend or repeal any enactment contained in an Act.	Power to make provision relating to Ombudsman's functions and expenses.
Section 109(6)(b) of the Transport Act 2000 (c. 38).	Power to specify date by which deemed local transport plan to be replaced.
[^{F27} Section 113A(1) of the Transport Act 2000.	Power to modify the application of sections 108 to 111 of that Act in relation to local transport authorities whose areas are in Wales.]

Status: Point in time view as at 06/09/2015.

Changes to legislation: Government of Wales Act 2006, Cross Heading: Functions conferred or imposed by pre-commencement enactment: Parliamentary and Assembly procedure is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

[^{F28} Section 20(6) of the Political Parties, Elections and Referendums Act 2000.	Power to direct that the Local Government Boundary Commission for Wales shall cease to exist.]
F29	F29
.
F30	F30
.
F31	F31
.
[^{F32} Section 139(1) of the Education Act 2002 (c. 32).]	Power to approve institutions to provide course of higher education etc.
Section 192 of that Act.	Power to prescribe content and manner of publication of proposals to secure regional provision.
Section 193 of that Act.	Power to make provision about proposals to secure regional provision.
Section 197 of that Act.	Power relating to partnership agreements and statements.
Section 198 of that Act.	Power relating to transition from primary to secondary school.
Section 207(4) of that Act.	Power relating to adjustments between [^{F33} local authorities].
Section 3(3) of the Health (Wales) Act 2003 (c. 4).	Power to make provision about functions of Wales Centre for Health.
Section 4(4) of that Act.	Power to make provision for HPW to make arrangements about functions.
Section 4(7) of that Act.	Power to make provision about constitution of HPW.
Section 5(1) of that Act.	Power to permit HPW to charge for services.
Section 5(2) of that Act.	Power to transfer property etc. and personnel to HPW.
Section 5(7) of that Act.	Power to make provision about accounts and audit of HPW.
Section 5(9) of that Act.	Power to transfer property etc. and staff from HPW.
Paragraph 10 of Schedule 2 to that Act.	Power to make provision about Wales Centre for Health.
Paragraph 27 of Schedule 2 to that Act.	Power to make provision about accounts and audit of Centre.
Section 29(1) of the Waste and Emissions Trading Act 2003 (c. 33)	Power to require Welsh local authority to have waste management strategy.

Status: Point in time view as at 06/09/2015.

Changes to legislation: Government of Wales Act 2006, Cross Heading: Functions conferred or imposed by pre-commencement enactment: Parliamentary and Assembly procedure is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Section 30(1) of that Act.	Power to require Welsh local authority to provide information about waste.
Section 75(1) of the Health and Social Care (Community Health and Standards) Act 2003 (c. 43), unless exercised to amend or repeal any part of the text of an Act.	Power to require prescribed persons to provide explanation of documents etc.
Section 94(6) of that Act.	Power to require Welsh local authority to pay fee in relation to review of adoption and fostering functions.
Section 96 of that Act, unless exercised to amend or repeal any part of the text of an Act.	Power to confer additional functions in relation to Welsh local authority social services.
Section 101(1) of that Act, unless exercised to amend or repeal any part of the text of an Act.	Power to require prescribed persons to provide explanation of documents etc.
[^{F34} Section 62(4) of the Planning and Compulsory Purchase Act 2004 (c. 5).]	[^{F34} Power to prescribe form and content of local development plan.]
[^{F34} Section 63(3)(a) of that Act.]	[^{F34} Power to prescribe persons to be included in community involvement scheme.]
[^{F34} Section 63(7) of that Act.]	[^{F34} Power to prescribe requirements in relation to that scheme and local development plan.]
[^{F34} Section 69(1) of that Act.]	[^{F34} Power to prescribe times for review of local development plan.]
[^{F34} Section 69(3) of that Act.]	[^{F34} Power to prescribe form of, and publication requirements for, review.]
[^{F34} Section 76(2) of that Act.]	[^{F34} Power to prescribe information to be contained in annual monitoring report.]
[^{F34} Section 76(3) of that Act.]	[^{F34} Power to prescribe timing, form and content of report.]
[^{F34} Section 77 of that Act.]	[^{F34} Power to make provision about functions conferred by Part 6.]
[^{F35} Section 30(1)(b) of the Higher Education Act 2004 (c. 8).]	[^{F35} Power to designate “relevant authority”.]
[^{F35} Section 38(2) of that Act.]	[^{F35} Power to prescribe maximum period during which relevant authority can refuse to approve institution's new plan.]
Section 18(2)(c) of the Public Audit (Wales) Act 2004 (c. 23).	Power to specify documents to which right of access applies.
Section 21(1) of that Act.	Power to replace scale of audit fees.

Status: Point in time view as at 06/09/2015.

Changes to legislation: Government of Wales Act 2006, Cross Heading: Functions conferred or imposed by pre-commencement enactment: Parliamentary and Assembly procedure is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Section 39(1) of that Act, unless exercised so as to include a declaration that a contravention is an offence.	Power to make provision about publication etc. of accounts.
Section 52(2)(c) of that Act.	Power to specify documents to which right of access applies.
Section 26(2)(f) of the Children Act 2004 (c. 31).	Power to make provision about implementation of children and young people's plans.
Section 26(4) of that Act.	Power to require approval of such plans.
Section 22(1) of the Education Act 2005 (c. 18).	Power to establish panel to advise on Chief Inspector's functions.
Section 25(2) of that Act.	Power to prescribe categories of persons who may be registered inspectors.
Section 25(3)(b) of that Act.	Power to prescribe fees for applications for registration.
Section 36(2) of that Act.	Power to make provision as to timing of inspections and reports.
Section 38(3)(e) and (4)(b) and (c) of that Act.	Power to make provision relating to destination of reports about maintained schools.
Section 39(2)(a), (3), (5) and (7)(b) of that Act.	Power to make provision relating to statement prepared by appropriate authority for school.
Section 40(3)(a) of that Act.	Power to make provision relating to statement prepared by [^{F36} local authority].
Section 41(4)(b) and (c) of that Act.	Power to make provision relating to destination of reports about non-maintained schools.
Section 42(2)(a), (3), (4) and (5)(b) of that Act.	Power to make provision relating to statement prepared by proprietor of school.
Section 52(5) of that Act.	Power to make provision about provision of inspection services by [^{F37} local authorities].
Section 55(4) of that Act.	Power to prescribe intervals at which careers services are inspected.
Section 56(3) of that Act.	Power to prescribe intervals at which related services are inspected.
Section 57(7)(a), (b) and (c) of that Act.	Power to require a person inspected to prepare written statement in response.

Status: Point in time view as at 06/09/2015.

Changes to legislation: Government of Wales Act 2006, Cross Heading: Functions conferred or imposed by pre-commencement enactment: Parliamentary and Assembly procedure is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Section 57(9) of that Act.	Power to make provision about inspection reports.
Section 62(1) of that Act, unless exercised to amend or repeal an enactment.	Power to change inspection framework for Wales.
Section 85(3)(d) of that Act.	Power to designate institutions eligible for HEFCW funding.
Section 90(1) of that Act.	Power to confer functions on HEFCW.
Section 91(1) of that Act.	Power to give directions to HEFCW.
Section 92(4) of that Act.	Power to authorise joint exercise of HEFCW functions.
Section 100(2) of that Act.	Power to make provision as to meaning of “governing body”.
Section 124(1) of that Act, unless exercised to amend or repeal an enactment.	Power to make consequential etc. provision.
Paragraph 2 of Schedule 3 to that Act.	Power to make provision about appeals to, and procedure of, tribunals.
Paragraph 3(2)(b) of Schedule 4 to that Act.	Power to prescribe persons who may not be members of inspection team.
Paragraph 4(3) of Schedule 4 to that Act.	Power to waive fees for applications to be on the list of inspection team members.
Paragraph 6(b) of Schedule 4 to that Act.	Power to make provisions about meetings between inspectors and pupils.
[^{F38} Section 8(1) of the Transport (Wales) Act 2006.	Power to establish the Public Transport Users` Committee for Wales or Pwyllgor Defnyddwyr Trafnidiaeth Gyhoeddus Cymru.]
[^{F39} Section 8(2) of that Act.	Power to change the name of a body established under section 8(1) of that Act.]
[^{F40} Section 8(6) of that Act	Power to make provision for the transfer of staff, property, rights and liabilities, from the Committee to any other person.]
[^{F41} Section 9(3) of that Act.	Power to change or transfer functions of the Public Transport Users` Committee for Wales.]
[^{F42} Section 8(1) of the Commissioner for Older People (Wales) Act 2006.	Power to confer power on the Commissioner to give assistance to certain persons to make complaints in respect of matters specified in section 8.]

Status: Point in time view as at 06/09/2015.

Changes to legislation: Government of Wales Act 2006, Cross Heading: Functions conferred or imposed by pre-commencement enactment: Parliamentary and Assembly procedure is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

[^{F43} Section 10(1) of that Act.	Power to make regulations allowing the Commissioner to examine cases of particular persons who are, or have been, older people in Wales.]
[^{F44} Section 14(1) of that Act.	Power to confer additional functions on the Commissioner.]
[^{F45} Section 15(1) of that Act.	Power to make regulations providing for the Commissioner to make reports following the discharge of any of his functions.]
[^{F46} Section 21(2) of that Act.	Power to prescribe certain functions for the purpose of preventing the Commissioner from being authorised and required to exercise those functions.]
[^{F47} Paragraph 2 of Schedule 1 to that Act.	Power to make provision as to the appointment of the Commissioner and as to the terms of office of the Commissioner.]
[^{F48} Article 16(4) of the National Assembly for Wales (Representation of the People) Order 2007.	Power to specify the apportionment of the costs of combined polls at an Assembly general election and an ordinary local government election.]

(5) In this paragraph—

“make” includes confirm or approve and related expressions are to be construed accordingly, and

“pre-commencement enactment” means an enactment contained in an Act passed or subordinate legislation made before the end of the initial period.

(6) This paragraph does not apply if the function was transferred as a result of the operation of paragraph 30(2)(b) (see paragraph 28 and section 59).

Textual Amendments

- F3** Sch. 11 para. 35(3) Table 1: entry inserted (2.5.2007) by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), arts. 1(3), 4, [Sch. 2 para. 4](#)
- F4** Words in Sch. 11 para. 35(3) Table 1 omitted (E.W.) (1.9.2015) by virtue of [Higher Education \(Wales\) Act 2015 \(anaw 1\)](#), s. 59(2), [Sch. para. 23\(a\)](#); S.I. 2015/1327, art. 5(s)(v)
- F5** Sch. 11 para. 35(3) Table 1: entry inserted (2.5.2007) by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), arts. 1(3), 4, [Sch. 2 para. 4](#)
- F6** Sch. 11 para. 35(3) Table 1: entry inserted (2.5.2007) by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), arts. 1(3), 4, [Sch. 2 para. 4](#)
- F7** Sch. 11 para. 35(3) Table 1: entry inserted (2.5.2007) by [The Government of Wales Act 2006 \(Consequential Modifications and Transitional Provisions\) Order 2007 \(S.I. 2007/1388\)](#), arts. 1(3), 4, [Sch. 2 para. 4](#)

Status: Point in time view as at 06/09/2015.

Changes to legislation: Government of Wales Act 2006, Cross Heading: Functions conferred or imposed by pre-commencement enactment: Parliamentary and Assembly procedure is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F8** Sch. 11 para. 35(3) Table 1: entry inserted (2.5.2007) by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), arts. 1(3), 4, **Sch. 2 para. 4**
- F9** Sch. 11 para. 35(3) Table 1: entry inserted (2.5.2007) by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), arts. 1(3), 4, **Sch. 2 para. 4**
- F10** Sch. 11 para. 35(3) Table 1: entry inserted (2.5.2007) by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), arts. 1(3), 4, **Sch. 2 para. 4**
- F11** Sch. 11 para. 35(3) Table 1: entry inserted (2.5.2007) by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), arts. 1(3), 4, **Sch. 2 para. 4**
- F12** Sch. 11 para. 35(3) Table 1: entry inserted (2.5.2007) by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), arts. 1(3), 4, **Sch. 2 para. 4**
- F13** Sch. 11 para. 35(4) Table 2: entry omitted (1.3.2007) by virtue of Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 2, 8(2), **Sch. 1 para. 304(a)** (with Sch. 3 Pt. 1)
- F14** Sch. 11 para. 35(4) Table 2: entry omitted (1.3.2007) by virtue of Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 2, 8(2), **Sch. 1 para. 304(a)** (with Sch. 3 Pt. 1)
- F15** Sch. 11 para. 35(4) Table 2: entry omitted (1.3.2007) by virtue of Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 2, 8(2), **Sch. 1 para. 304(a)** (with Sch. 3 Pt. 1)
- F16** Sch. 11 para. 35(4) Table 2: entry omitted (1.3.2007) by virtue of Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 2, 8(2), **Sch. 1 para. 304(a)** (with Sch. 3 Pt. 1)
- F17** Sch. 11 para. 35(4) Table 2: entry omitted (1.3.2007) by virtue of Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 2, 8(2), **Sch. 1 para. 304(a)** (with Sch. 3 Pt. 1)
- F18** Sch. 11 para. 35(4) Table 2: entry omitted (1.3.2007) by virtue of Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 2, 8(2), **Sch. 1 para. 304(a)** (with Sch. 3 Pt. 1)
- F19** Sch. 11 para. 35(4) Table 2: entry omitted (1.3.2007) by virtue of Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 2, 8(2), **Sch. 1 para. 304(a)** (with Sch. 3 Pt. 1)
- F20** Sch. 11 para. 35(4) Table 2: entry omitted (1.3.2007) by virtue of Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 2, 8(2), **Sch. 1 para. 304(a)** (with Sch. 3 Pt. 1)
- F21** Sch. 11 para. 35(4) Table 2: entry omitted (1.3.2007) by virtue of Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 2, 8(2), **Sch. 1 para. 304(a)** (with Sch. 3 Pt. 1)
- F22** Sch. 11 para. 35(4) Table 2: entry omitted (1.3.2007) by virtue of Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 2, 8(2), **Sch. 1 para. 304(a)** (with Sch. 3 Pt. 1)
- F23** Sch. 11 para. 35(4) Table 2: entry omitted (1.3.2007) by virtue of Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 2, 8(2), **Sch. 1 para. 304(a)** (with Sch. 3 Pt. 1)
- F24** Sch. 11 para. 35(4) Table 2: entry omitted (1.3.2007) by virtue of Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 2, 8(2), **Sch. 1 para. 304(a)** (with Sch. 3 Pt. 1)
- F25** Sch. 11 para. 35(4) Table 2: entry omitted (1.3.2007) by virtue of Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 2, 8(2), **Sch. 1 para. 304(a)** (with Sch. 3 Pt. 1)
- F26** Sch. 11 para. 35(4) Table 2: entry inserted (2.5.2007) by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), arts. 1(3), 4, **Sch. 2 para. 5**
- F27** Sch. 11 para. 35(4) Table 2: entry inserted (2.5.2007) by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), arts. 1(3), 4, **Sch. 2 para. 5**
- F28** Sch. 11 para. 35(4) Table 2: entry inserted (2.5.2007) by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), arts. 1(3), 4, **Sch. 2 para. 5**
- F29** Sch. 11 para. 35(4) Table 2: entry omitted (1.3.2007) by virtue of Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 2, 8(2), **Sch. 1 para. 304(b)** (with Sch. 3 Pt. 1)

Status: Point in time view as at 06/09/2015.

Changes to legislation: Government of Wales Act 2006, Cross Heading: Functions conferred or imposed by pre-commencement enactment: Parliamentary and Assembly procedure is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- F30** Sch. 11 para. 35(4) Table 2: entry omitted (7.12.2009) by virtue of Learning and Skills (Wales) Measure 2009 (nawm 1), ss. 47, 49, Sch. para. 22(a)(b); S.I. 2009/3174, **art. 2(1)(r)**
- F31** Sch. 11 para. 35(4) Table 2: entry omitted (7.12.2009) by virtue of Learning and Skills (Wales) Measure 2009 (nawm 1), ss. 47, 49, Sch. para. 22(a)(b); S.I. 2009/3174, **art. 2(1)(r)**
- F32** Sch. 11 para. 35(4) Table 2: entry substituted (7.12.2009) by virtue of Learning and Skills (Wales) Measure 2009 (nawm 1), ss. 47, 49, Sch. para. 22(c); S.I. 2009/3174, **art. 2(1)**
- F33** Sch. 11 para. 35(4): Table 2 words substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), arts. 1, 5(1), **Sch. 2 para. 59(3)(a)**
- F34** Words in Sch. 11 para. 35(4) omitted (E.W.) (6.9.2015) by virtue of Planning (Wales) Act 2015 (anaw 4), s. 58(2)(a), **Sch. 7 para. 2**
- F35** Words in Sch. 11 para. 35(4) Table 2 omitted (E.W.) (1.9.2015) by virtue of Higher Education (Wales) Act 2015 (anaw 1), s. 59(2), **Sch. para. 23(b)**; S.I. 2015/1327, art. 5(s)(v)
- F36** Sch. 11 para. 35(4): Table 2 words substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), arts. 1, 5(1), **Sch. 2 para. 59(3)(b)**
- F37** Sch. 11 para. 35(4): Table 2 words substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), arts. 1, 5(1), **Sch. 2 para. 59(3)(c)**
- F38** Sch. 11 para. 35(4) Table 2: entry inserted (2.5.2007) by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), arts. 1(3), 4, **Sch. 2 para. 5**
- F39** Sch. 11 para. 35(4) Table 2: entry inserted (2.5.2007) by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), arts. 1(3), 4, **Sch. 2 para. 5**
- F40** Sch. 11 para. 35(4) Table 2: entry inserted (2.5.2007) by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), art. 4, **Sch. 2 para. 5**
- F41** Sch. 11 para. 35(4) Table 2: entry inserted (2.5.2007) by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), art. 4, **Sch. 2 para. 5**
- F42** Sch. 11 para. 35(4) Table 2: entry inserted (2.5.2007) by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), art. 4, **Sch. 2 para. 5**
- F43** Sch. 11 para. 35(4) Table 2: entry inserted (2.5.2007) by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), arts. 1(3), 4, **Sch. 2 para. 5**
- F44** Sch. 11 para. 35(4) Table 2: entry inserted (2.5.2007) by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), arts. 1(3), 4, **Sch. 2 para. 5**
- F45** Sch. 11 para. 35(4) Table 2: entry inserted (2.5.2007) by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), arts. 1(3), 4, **Sch. 2 para. 5**
- F46** Sch. 11 para. 35(4) Table 2: entry inserted (2.5.2007) by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), arts. 1(3), 4, **Sch. 2 para. 5**
- F47** Sch. 11 para. 35(4) Table 2: entry inserted (2.5.2007) by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), arts. 1(3), 4, **Sch. 2 para. 5**
- F48** Sch. 11 para. 35(4) Table 2: entry inserted (2.5.2007) by The Government of Wales Act 2006 (Consequential Modifications and Transitional Provisions) Order 2007 (S.I. 2007/1388), arts. 1(3), 4, **Sch. 2 para. 5**

Status: Point in time view as at 06/09/2015.

Changes to legislation: Government of Wales Act 2006, Cross Heading: Functions conferred or imposed by pre-commencement enactment: Parliamentary and Assembly procedure is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Modifications etc. (not altering text)

- C2** Sch. 11 para. 35 excluded (1.4.2008) [Mental Health Act 2007 \(c. 12\)](#), **ss. 50(10)(a)**, 56; S.I. 2008/745, **art. 4**

Status:

Point in time view as at 06/09/2015.

Changes to legislation:

Government of Wales Act 2006, Cross Heading: Functions conferred or imposed by pre-commencement enactment: Parliamentary and Assembly procedure is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.