
EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings sections 169, 170, and 171 of the Education and Inspections Act 2006 into force on 12 October 2009.

Section 169 inserts new section 167A, 167B, 167C and 167D into the Education Act 2002. These sections allow the Welsh Ministers to issue a direction prohibiting or restricting a person's participation in the management of an independent school. These sections also allow the Welsh Ministers to make regulations setting out the procedure to be followed by the Welsh Ministers in making such directions.

Section 170 amends section 169 of the Education Act 2002, inserts a paragraph (e) into subsection (2) of section 113BA of the Police Act 1997 and inserts a new paragraph (ba) into subsection (2) of section 9 of the Protection of Children Act 1999.

Section 171 provides for transitional provision on the coming into force of section 167A of the Education Act 2002.

The Order also brings into force on 1 January 2010 section 89 of the Education and Inspections Act 2006 in part, together with the partial repeal of section 61 of the School Standards and Framework Act 1998. The provisions brought into force re-enact section 61(4) to (7) of the School Standards and Framework Act 1998. The Order also makes transitional provisions. Section 89 of the 2006 Act is commenced in part in this way so as to allow for the amendments made to that section by section 13 of the Learner Travel (Wales) Measure 2008 which will mean that the travel behaviour code made by the Welsh Ministers under that Measure is incorporated into a school's behaviour policy.