

**2009 No. 1220 (W. 104)**

**EDUCATION**

**The Functions in relation to  
External Qualifications (Wales)  
Order 2009**

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order relates to section 30 of the Education Act 1997 and in particular to the functions listed in section 30(1) so far as they relate to national vocational qualifications. Section 30(1C) states that certain of those functions ((a) to (c), (d) and (ea)) are exercisable concurrently by the Welsh Ministers (by whom functions are now exercisable following the Government of Wales Act 2006) and the Qualifications and Curriculum Authority; and certain other functions ((e) and (f)) are exercisable solely by the Qualifications and Curriculum Authority.

The functions exercisable concurrently with the Qualifications and Curriculum Authority are: keeping under review all aspects of national vocational qualifications; providing support and advice to persons providing courses leading to such qualifications with a view to maintaining high standards; publishing information relating to such qualifications; developing and publishing criteria for the accreditation of such qualifications; developing procedures for continued accreditation if any person ceases to be recognised. The functions exercisable solely by the Qualifications and Curriculum Authority are: accrediting national vocational qualifications and making arrangements for tests.

This Order prescribes for both sets of functions to be exercisable solely by the Welsh Ministers.

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*Made* 9 May 2009

*Laid before the National*

*Assembly for Wales* 12 May 2009

*Coming into force* 5 June 2009

The Welsh Ministers, in exercise of the powers conferred upon the National Assembly for Wales by section 30(1) of the Education Act 1997<sup>(1)</sup> as amended by the Qualifications, Curriculum and Assessment Authority of Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005<sup>(2)</sup>, and now vested in them<sup>(3)</sup> make the following Order:

**Title, application, commencement and interpretation**

1.—(1) The title of this Order is the Functions in relation to External Qualifications (Wales) Order 2009.

(2) It applies in relation to Wales.

(3) It comes into force on 5 June 2009.

(4) In this Order, references to paragraphs are to paragraphs of section 30(1) of the Education Act 1997.

**Functions to be exercisable solely by the Welsh Ministers**

2.—(1) The functions set out in paragraphs (a) to (c), (d) and (ea) so far as they relate to national vocational

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(1) 1997 c.44.

(2) S.I. 2005/3239.

(3) The functions of the National Assembly for Wales were transferred to the Welsh Ministers by paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).

qualifications shall be exercised solely by the Welsh Ministers.

(2) The functions set out in paragraphs (e) and (f) so far as they relate to national vocational qualifications shall be exercised solely by the Welsh Ministers.

*John Griffiths*

Deputy Minister for Skills, under authority of the Minister for Children, Education, Lifelong Learning and Skills, one of the Welsh Ministers

9 May 2009