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W E L S H   S T A T U T O R Y   I N S T R U M E N T S

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**2013 No. 1657 (W. 155)**

**EDUCATION, WALES**

**The Anti-Social Behaviour Act 2003 (Amendment  
to the Education Act 1996) (Wales) Order 2013**

*Made - - - - 2 July 2013*

*Coming into force in accordance with article 1*

The Welsh Ministers, in exercise of the power conferred on the National Assembly for Wales by section 23(9) and 94(2) of the Anti-Social Behaviour Act 2003<sup>(1)</sup> and now vested in them<sup>(2)</sup> make the following Order.

In accordance with paragraph 35(3), Table 1, of Schedule 11 to the Government of Wales Act 2006, a draft of this Order was laid before and approved by a resolution of the National Assembly for Wales.

**Title and commencement**

1. The title of this Order is the Anti-Social Behaviour Act 2003 (Amendment to the Education Act 1996) (Wales) Order 2013 and it comes into force on the day after the day on which it is made.

**Amendments to the Education Act 1996**

2.—(1) In sections 444A or 444B of the Education Act 1996 remove the words “in England” in each place where they occur.

(2) In section 569(2B) of the Education Act 1996 for “or 336” substitute “, 336, 444A or 444B”.

*Huw Lewis*

Minister for Education and Skills, one of the  
Welsh Ministers

2 July 2013

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(1) 2003 c.38. (“the 2003 Act”)

(2) The functions of the National Assembly for Wales under this section was transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (“the 2006 Act”) (c.32.). The procedure in the 2003 Act for making the Order has been modified by Table 1 of paragraph 35(3) of Schedule 11 to the 2006 Act so that an Order made under section 29(3) of the 2003 Act must be laid before, and approved by a resolution of the National Assembly for Wales.

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**Status:** *This is the original version (as it was originally made). Wales  
Statutory Instruments are not carried in their revised form on this site.*

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## EXPLANATORY NOTE

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

Section 23(9) of the Anti-Social Behaviour Act 2003 provides the Welsh Ministers with the power to remove the words “in England” from sections 444A and 444B of the Education Act 1996 (“the 1996 Act”).

Sections 444A and 444B of the 1996 Act provide a power for a police constable, a local authority officer or the head teacher (or a member of staff authorised by the head teacher) to issue, in accordance with regulations, penalty notices in respect of truancy from school (and from other places where education is provided).

The effect of removing the words “in England” means that those provisions will apply to Wales.

This Order also makes a minor amendment to section 569 of the Education Act 1996 to make it clear that the functions, under sections 444A and 444B of the 1996 Act, are functions of the Welsh Ministers.