

SCHEDULE 2

Article 4

TRANSITIONAL PROVISIONS

Food Standards Act 1999

1. The functions of the National Assembly for Wales constituted by the Government of Wales Act 1998 under section 37(5) of the Food Standards Act 1999 (draft Order in Council to be laid before and approved by Assembly)⁽¹⁾, which would, apart from this paragraph, be transferred to the Welsh Ministers immediately after the end of the initial period under paragraph 30(1) of Schedule 11 to the Government of Wales Act 2006, are transferred instead at that time to the National Assembly for Wales constituted by the Government of Wales Act 2006.

2. Nothing in paragraph 32 of Schedule 11 to the Government of Wales Act 2006 (modification of references to the Assembly) affects the reference to the National Assembly for Wales in paragraph 3(4) of Schedule 4 to the Food Standards Act 1999 (accounts examined on behalf of Assembly) and accordingly that reference is, after the end of the initial period, a reference to the Assembly constituted by the Government of Wales Act 2006.

Government of Wales Act 2006

3. In paragraph 34 of Schedule 11 to the Government of Wales Act 2006⁽²⁾ (functions conferred or imposed by pre-commencement enactment: Parliamentary and Assembly procedure)—

- (a) in sub-paragraph (3), at the beginning insert “Subject to sub-paragraphs (4A) and (4B),”;
- (b) after sub-paragraph (4) insert—

“(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.”

4. In Table 1 in paragraph 35 of Schedule 11 to the Government of Wales Act 2006 insert the following entries in the appropriate places—

<i>Function</i>	<i>Description</i>
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 5(1) of the Transport (Wales) Act 2006.	Power to establish a joint transport authority to discharge specified transport functions for specified areas.
Section 4(1) of the Commissioner for Older People (Wales) Act 2006.	Power to amend Schedule 2 to that Act.
Section 6(5) of that Act.	Power to confer power on the Commissioner to require prescribed persons to provide

(1) 1999 c.28.

(2) 2006 c.32.

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<i>Function</i>	<i>Description</i>
	information for the purposes of his functions under section 5.
Section 7(1) of that Act.	Power to amend Schedule 3 to that Act.
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.
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.
Section 18(10) of that Act.	Power to amend the definition of “permitted person” in section 18(9).
Section 27(2) of that Act.	Power to amend the definition of “family health service provider in Wales” and “independent provider in Wales”.

5. In Table 2 in paragraph 35 of Schedule 11 to the Government of Wales Act 2006 insert the following entries in the appropriate places—

<i>Function</i>	<i>Description</i>
Section 97D of the School Standards and Framework Act 1998.	Power to make provision about the admission of children looked after by local authorities in Wales to maintained schools in Wales.
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.
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.
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.
Section 8(2) of that Act.	Power to change the name of a body established under section 8(1) of that Act.
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.
Section 9(3) of that Act.	Power to change or transfer functions of the Public Transport Users’ Committee for Wales.
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.
Section 10(1) of that Act.	Power to make regulations allowing the Commissioner to examine cases of particular

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<i>Function</i>	<i>Description</i>
	persons who are, or have been, older people in Wales.
Section 14(1) of that Act.	Power to confer additional functions on the Commissioner.
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.
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.
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.
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.