



# Education Act 2011

## 2011 CHAPTER 21

### PART 10

#### GENERAL

#### **78 Orders and regulations**

- (1) A power to make an order or regulations under this Act is exercisable by statutory instrument.
- (2) A power to make an order or regulations under this Act (except a power conferred by section 82) includes power—
  - (a) to make different provision for different purposes (including different areas);
  - (b) to make provision generally or in relation to specific cases;
  - (c) to make incidental, consequential, supplementary, transitional, transitory or saving provision.
- (3) Subject to subsection (4), a statutory instrument containing an order or regulations made by the Secretary of State under this Act (other than an order under section 82) is subject to annulment in pursuance of a resolution of either House of Parliament.
- (4) A statutory instrument which contains (alone or with other provision) an order under section 54(2) which amends or repeals any provision of an Act may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (5) A statutory instrument containing an order or regulations made by the Welsh Ministers under this Act is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

#### **79 Interpretation of Act**

In this Act—

“FHEA 1992” means the Further and Higher Education Act 1992;

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*Status: Point in time view as at 15/11/2011.*

*Changes to legislation: There are currently no known outstanding effects for the Education Act 2011, Part 10. (See end of Document for details)*

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“EA 1994” means the Education Act 1994;  
 “EA 1996” means the Education Act 1996;  
 “EA 1997” means the Education Act 1997;  
 “THEA 1998” means the Teaching and Higher Education Act 1998;  
 “SSFA 1998” means the School Standards and Framework Act 1998;  
 “LSA 2000” means the Learning and Skills Act 2000;  
 “EA 2002” means the Education Act 2002;  
 “HEA 2004” means the Higher Education Act 2004;  
 “EA 2005” means the Education Act 2005;  
 “EIA 2006” means the Education and Inspections Act 2006;  
 “ESA 2008” means the Education and Skills Act 2008;  
 “ASCLA 2009” means the Apprenticeships, Skills, Children and Learning Act 2009;  
 “CSFA 2010” means the Children, Schools and Families Act 2010;  
 “AA 2010” means the Academies Act 2010.

## **80 Financial provision**

There is to be paid out of money provided by Parliament any increase attributable to this Act in the sums payable under any other Act out of money so provided.

## **81 Extent**

- (1) This Act extends to England and Wales only, subject to subsections (2) and (3).
- (2) This Part extends to the whole of the United Kingdom.
- (3) An amendment or repeal made by this Act has the same extent as the provision to which it relates.

## **82 Commencement**

- (1) The following provisions come into force on the day on which this Act is passed—
  - (a) section 33;
  - (b) section 40(1) to (3) and (5) to (9);
  - (c) section 41;
  - (d) section 42(1) to (7) and (9) to (11);
  - (e) section 58;
  - (f) section 75;
  - (g) sections 76 and 77;
  - (h) this Part.
- (2) The following provisions come into force at the end of two months beginning with the day on which this Act is passed—
  - (a) section 6;
  - (b) sections 30 and 31;
  - (c) section 47;
  - (d) section 48;
  - (e) section 61.

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- (3) The other provisions of this Act come into force on such day as the Secretary of State may by order appoint.
- (4) The Secretary of State must exercise the power conferred by subsection (3) so as to secure that, subject to any provision made by virtue of subsection (7), sections 69 and 70 and Schedule 18 are in force no later than the day after the day which is the school leaving date for 2013.
- (5) Before making an order bringing section 13 into force, the Secretary of State must consult the Welsh Ministers.
- (6) Before making an order bringing sections 14 to 17 into force, the Secretary of State must obtain the consent of the Welsh Ministers.
- (7) An order under this section may—
  - (a) appoint different days for different purposes (including different areas);
  - (b) contain transitional, transitory or saving provision in connection with the coming into force of this Act.

### **83 Short title**

- (1) This Act may be cited as the Education Act 2011.
- (2) This Act is to be included in the list of Education Acts set out in section 578 of EA 1996.

**Status:**

Point in time view as at 15/11/2011.

**Changes to legislation:**

There are currently no known outstanding effects for the Education Act 2011, Part 10.