

## **NATIONAL ASSEMBLY FOR WALES**

### **MEMORANDUM OF CORRECTIONS PURSUANT TO STANDING ORDER 24.13**

#### **THE ASSEMBLY LEARNING GRANTS AND LOANS (HIGHER EDUCATION) (WALES) (AMENDMENT) REGULATIONS 2006**

##### **Background**

The draft Regulations to which this Memorandum relates were laid before the National Assembly for Wales on 20 June 2006, considered by the Business Committee on 20 June 2006 and by the Legislation Committee on 4 July 2006.

The need for drafting changes was identified by the Legal Advisers to the Legislation Committee prior to the Committee's meeting and amendments suggested in consequence.

The following matters were reported and agreed by the Legislation Committee in its meeting on 4 July 2006 as being appropriate for correction under Standing Order 24.13.

##### **Amendment 1**

Regulation 4 inserts a new definition of "College fee loan" in the Principal Regulations. The definition refers to "the 1998 Act" which was intended as a reference to the Teaching and Higher Education Act 1998. However, that Act is defined in the Principle Regulations as "the Act", therefore in the definition of "College fee loan" for "the 1998 Act" substitute "the Act".

##### **Reason for the amendment**

To correct a minor drafting error.

##### **Amendment 2**

Regulation 10 refers to "regulation 6(4A) (as inserted by regulation 8 above)". Instead of referring to "regulation 8" this regulation should refer to "regulation 9". Therefore, for "8" substitute "9".

##### **Reason for the amendment**

To correct a minor drafting error.

##### **Amendment 3**

In the Welsh text of regulation 44 new paragraph 3(4) to Schedule 4 is numbered “(2)” instead of “(4)”. Therefore, for “(2)”, substitute “(4)”.

### **Reason for the amendment**

To correct a minor drafting error.

### **Amendments 4 to 10**

Schedule 1 to the Regulations substitutes a new Schedule 1 in place of the current Schedule 1 to the Principal Regulations. There is an inconsistency between the English and Welsh texts of the definition of “family member” (*“aelod o deulu”*) in the following sub-paragraphs of the Welsh language text, namely sub-paragraphs (a)(iii), (c)(ii), (ch)(ii)(bb) and (iii) and (d)(ii)(bb). The corresponding paragraphs in the English text refer to the direct relatives of the workers to which the paragraphs apply as well as the direct relatives of those workers’ spouse or civil partner. However, the Welsh text of the sub-paragraphs referred to above only refers to the direct relatives of the spouse or civil partner of those workers. Therefore, the following amendments are required to the Welsh text of the definition of “family member” (*“aelod o deulu”*):

In sub-paragraph (a)(iii), after “perthnasau uniongyrchol dibynol” insert “yn ei linach esgynnol neu”.

In sub-paragraph (c)(ii), before “disgynyddion uniongyrchol ei briod” insert “ei ddisgynyddion uniongyrchol neu”.

In sub-paragraph (ch)(ii), before “disgynyddion uniongyrchol ei briod” insert “ei ddisgynyddion uniongyrchol neu”.

In sub-paragraph (ch)(ii)(bb), for “ei briod neu ei bartner sifil” substitute “iddo ef neu’n ddibynyddion i’w briod neu i’w bartner sifil”.

In sub-paragraph (ch)(iii), after “perthnasau uniongyrchol dibynol” insert “yn ei linach esgynnol neu”.

In sub-paragraph (d)(ii), before “disgynyddion uniongyrchol ei briod” insert “ei ddisgynyddion uniongyrchol neu”.

In sub-paragraph (d)(ii)(bb), for “ei briod neu ei bartner sifil” substitute “iddo ef neu’n ddibynyddion i’w briod neu i’w bartner sifil”.

### **Reason for the amendments**

To correct minor drafting errors.

## **Amendment 11**

In the Welsh language text, the title “Atodlen 3” should read “Atodlen 2”. Therefore, for “Atodlen 3” substitute “Atodlen 2”.

### **Reason for the amendment**

To correct a minor drafting error.

## **Amendment 12**

Schedule 2 to the Regulations inserts a new Schedule 3A to the Principal Regulations. The English text of paragraph 3(c) of the new Schedule 3A contains a reference to “1 September 2006”, whereas the corresponding Welsh text refers to “11 September 2006”. The Welsh text should refer to “1 Medi 2006” (*“1 September 2006”*). Therefore in the Welsh text of paragraph 3(c) of the new Schedule 3A, for “11 Medi 2006” substitute “1 Medi 2006”.

### **Reason for the amendment**

Minor drafting error

## **Amendments 13 and 14**

Sub-paragraph 10(1)(d) of the English text of Part 2 of Schedule 1 and paragraph 11(1) of the English text of the new Schedule 3A contain gender specific language.

In sub-paragraph 10(1)(d) of the English text of Part 2 of the new Schedule 1 to the Principal Regulations which appears in Schedule 1 of the Regulations after “his” insert “or her”.

In sub-paragraph 11(1) of the English text of the new Schedule 3A to the Principal Regulations which appears in Schedule 2 of the Regulations, after “his” insert “or her”.

### **Reason for the amendments**

Minor drafting errors.

**July 2006**

**JANE DAVIDSON AM**

**THE MINISTER FOR EDUCATION AND LIFE-LONG LEARNING**