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WELSH STATUTORY INSTRUMENTS

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**2022 No. 666 (W. 149)**

**EDUCATION, WALES**

The Curriculum and Assessment (Wales)  
Act 2021 (Consequential Amendments)  
(Secondary Legislation) (No. 1) Regulations 2022

*Made* - - - - 14 June 2022  
*Laid before Senedd Cymru* 17 June 2022  
*Coming into force in accordance with regulation 1(2)  
and (3)*

The Welsh Ministers, in exercise of the powers conferred on them by sections 74(1) and 75(1)(b) of the Curriculum and Assessment (Wales) Act 2021(1), make the following Regulations:

**Title and commencement**

1.—(1) The title of these Regulations is the Curriculum and Assessment (Wales) Act 2021 (Consequential Amendments) (Secondary Legislation) (No. 1) Regulations 2022.

(2) Subject to paragraph (3), these Regulations come into force on 1 September 2022.

(3) Regulations 3 to 13 come into force as set out in regulations 3(2), 4(2), 5(2), 6(2), 7(2), 8(2), 9(2), 10(2), 11(2), 12(2) and 13(2).

**Interpretation**

2.—(1) In these Regulations—

“the 2021 Act” (*“Deddf 2021”*) means the Curriculum and Assessment (Wales) Act 2021;

“funded non-maintained nursery education” (*“addysg feithrin a gyllidir ond nas cynhelir”*) has the meaning given to it in section 80(1)(a) of the 2021 Act;

“maintained nursery school” (*“ysgol feithrin a gynhelir”*) has the meaning given to it in section 79(1)(b) of the 2021 Act;

“maintained school” (*“ysgol a gynhelir”*) has the meaning given to it in section 79(1)(a) of the 2021 Act;

“nursery education” (*“addysg feithrin”*) means education provided to children or pupils below compulsory school age—

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(1) 2021 asc 4. See section 82(1) for the definition of “regulations”.

- (a) in a maintained school or a maintained nursery school, or
  - (b) by the provider of funded non-maintained nursery education;
- “pupil” (“*disgybl*”) has the meaning given to it in section 3 of the Education Act 1996(2);
- “reception year” (“*blwyddyn derbyn*”) means a year group in which the majority of the pupils attain the age of 5;
- “relevant curriculum” (“*cwricwlwm perthnasol*”) has the meaning given to it in section 56(5) of the 2021 Act;
- “year 1” (“*blwyddyn 1*”) means the year group in which the majority of pupils attain the age of 6;
- “year 2” (“*blwyddyn 2*”) means the year group in which the majority of pupils attain the age of 7;
- “year 3” (“*blwyddyn 3*”) means the year group in which the majority of pupils attain the age of 8;
- “year 4” (“*blwyddyn 4*”) means the year group in which the majority of pupils attain the age of 9;
- “year 5” (“*blwyddyn 5*”) means the year group in which the majority of pupils attain the age of 10;
- “year 6” (“*blwyddyn 6*”) means the year group in which the majority of pupils attain the age of 11;
- “year 7” (“*blwyddyn 7*”) means the year group in which the majority of pupils attain the age of 12;
- “year 8” (“*blwyddyn 8*”) means the year group in which the majority of pupils attain the age of 13;
- “year 9” (“*blwyddyn 9*”) means the year group in which the majority of pupils attain the age of 14;
- “year 10” (“*blwyddyn 10*”) means the year group in which the majority of pupils attain the age of 15;
- “year 11” (“*blwyddyn 11*”) means the year group in which the majority of pupils attain the age of 16;
- “year 12” (“*blwyddyn 12*”) means the year group in which the majority of pupils attain the age of 17;
- “year 13” (“*blwyddyn 13*”) means the year group in which the majority of pupils attain the age of 18;
- “year group” (“*grŵp blwyddyn*”) means a group of pupils at a school the majority of whom will, in a particular school year, attain the same age.

(2) Expressions used in these Regulations and in the 2021 Act have the same meaning as in that Act.

### **Education (Maintained Special Schools) (Wales) Regulations 1999**

3.—(1) The Education (Maintained Special Schools) (Wales) Regulations 1999(3) are amended as follows.

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- (2) [1996 c. 56](#). Subsection (1) was amended by section 57(1) of, and paragraph 9 of Schedule 7 to, the Education Act 1997 ([c. 44](#)) and subsections (1) and (1A) were further amended by section 215(1) of, and paragraph 34 of Schedule 21 to, the Education Act 2002 ([c. 32](#)).
  - (3) [S.I. 1999/1780](#).

(2) These amendments take effect in respect of pupils attending a maintained special school who—

- (a) from 1 September 2022 are—
  - (i) in years 1 to 6;
  - (ii) in year 7 in those schools and other settings where the head teacher and governing body have adopted a relevant curriculum under Part 2 of the 2021 Act;
- (b) from 1 September 2023 are—
  - (i) in year 7;
  - (ii) in year 8;
- (c) from 1 September 2024 are in year 9;
- (d) from 1 September 2025 are in year 10;
- (e) from 1 September 2026 are in years 11 to 13.

(3) In regulation 12(4)—

- (a) for the heading “Religious Education” substitute “Religious Worship”, and
- (b) omit paragraph (a) and the “and” after it.

(4) In Schedule 1, in paragraph 6—

- (a) for “relevant subject”, in each place it occurs, substitute “area of learning and experience”,
- (b) for “relevant subjects”, in each place it occurs, substitute “areas of learning and experience”,
- (c) for “the first key stage”, in each place it occurs, substitute “year 1 or year 2”,
- (d) for “the second key stage”, in each place it occurs, substitute “years 3 to 6”,
- (e) for “the third key stage”, in each place it occurs, substitute “years 7 to 9”,
- (f) for “the fourth key stage”, in each place it occurs, substitute “year 10 or year 11”,
- (g) for sub-paragraph (7) substitute—

“(7) For the purposes of this paragraph, “areas of learning and experience” means areas of expressive arts, health and well-being, humanities, languages, literacy and communication, mathematics, numeracy, science and technology, including the mandatory elements of Relationships and Sexuality Education and Religion, Values and Ethics (but not the mandatory elements of English or Welsh).”, and

- (h) in sub-paragraph (8)—
  - (i) after paragraph (a) omit “and”,
  - (ii) in paragraph (b), omit “and references to key stages shall be construed in accordance with section 355 of the Education Act 1996”, and
  - (iii) after paragraph (b) insert—
    - “(c) “pupil” has the meaning given to it in section 3 of the Education Act 1996;
    - (d) “year 1” means the year group in which the majority of pupils attain the age of 6;
    - (e) “year 2” means the year group in which the majority of pupils attain the age of 7;

- (f) “year 3” means the year group in which the majority of pupils attain the age of 8;
- (g) “year 4” means the year group in which the majority of pupils attain the age of 9;
- (h) “year 5” means the year group in which the majority of pupils attain the age of 10;
- (i) “year 6” means the year group in which the majority of pupils attain the age of 11;
- (j) “year 7” means the year group in which the majority of pupils attain the age of 12;
- (k) “year 8” means the year group in which the majority of pupils attain the age of 13;
- (l) “year 9” means the year group in which the majority of pupils attain the age of 14;
- (m) “year 10” means the year group in which the majority of pupils attain the age of 15;
- (n) “year 11” means the year group in which the majority of pupils attain the age of 16;
- (o) “year group” means a group of pupils at a school the majority of whom will, in a particular school year, attain the same age.”

### **Education (Aptitude for Particular Subjects) Regulations 1999**

4.—(1) The Education (Aptitude for Particular Subjects) Regulations 1999(1) are amended as follows.

- (2) These amendments take effect in respect of pupils who—
  - (a) from 1 September 2022 are—
    - (i) in a reception year at a maintained school;
    - (ii) in years 1 to 6 at a maintained school;
    - (iii) in year 7 at a maintained school where the head teacher and governing body have adopted a relevant curriculum under Part 2 of the 2021 Act;
  - (b) from 1 September 2023 are—
    - (i) in year 7;
    - (ii) in year 8;
  - (c) from 1 September 2024 are in year 9 at a maintained school;
  - (d) from 1 September 2025 are in year 10 at a maintained school;
  - (e) from 1 September 2026 are in years 11 to 13 at a maintained school.
- (3) For regulation 2 substitute—
  - “2. The following subjects are prescribed for the purposes of section 102A of the School Standards and Framework Act 1998(5) (permitted selection in maintained schools in Wales: aptitude for particular areas of learning and experience etc.)—
    - (a) international languages, or any such language,
    - (b) expressive arts, or any one or more of the expressive arts,

- (c) sport, or one or more sports,
- (d) design and technology, and
- (e) computing and digital technology.”

### **School Government (Terms of Reference) (Wales) Regulations 2000**

**5.**—(1) The School Government (Terms of Reference) (Wales) Regulations 2000<sup>(6)</sup> are amended as follows.

- (2) The amendment takes effect in respect of pupils who—
  - (a) from 1 September 2022 are—
    - (i) in their reception year at a maintained school;
    - (ii) in years 1 to 6 at a maintained school;
    - (iii) in year 7 at a maintained school where the head teacher and governing body have adopted a relevant curriculum under Part 2 of the 2021 Act;
  - (b) from 1 September 2023 are—
    - (i) in year 7;
    - (ii) in year 8;
  - (c) from 1 September 2024 are in year 9;
  - (d) from 1 September 2025 are in year 10;
  - (e) from 1 September 2026 are in years 11 to 13.
- (3) Omit regulation 9<sup>(7)</sup>.

### **Education (School Inspection) (Wales) Regulations 2006**

**6.**—(1) The Education (School Inspection) (Wales) Regulations 2006<sup>(8)</sup> are amended as follows.

- (2) The amendment made takes effect in respect of pupils who are attending a community, foundation or voluntary school, or a community or foundation special school, and who—
  - (a) from 1 September 2022 are—
    - (i) in their reception year;
    - (ii) in years 1 to 6;
    - (iii) in year 7 where the head teacher and governing body have adopted a relevant curriculum under Part 2 of the 2021 Act;
  - (b) from 1 September 2023 are—
    - (i) in year 7;
    - (ii) in year 8;
  - (c) from 1 September 2024 are in year 9;
  - (d) from 1 September 2025 are in year 10;
  - (e) from 1 September 2026 are in years 11 to 13.
- (3) In regulation 13, for the definition of “denominational education” substitute—

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<sup>(6)</sup> [S.I. 2000/3027 \(W. 195\)](#).

<sup>(7)</sup> Paragraph (5) of regulation 9 provides that regulation 9 does not apply to maintained nursery schools. Paragraph (5) was inserted by [S.I. 2005/2913 \(W. 210\)](#), regulation 11(1) and (4).

<sup>(8)</sup> [S.I. 2006/1714 \(W. 176\)](#).

““denominational education” (“*addysg enwadol*”) has the meaning given to it by section 47(2) of the Education Act 2005;”.

### **School Funding (Wales) Regulations 2010**

- 7.—(1) The School Funding (Wales) Regulations 2010(9) are amended as follows.
- (2) These amendments take effect in respect of pupils who—
- (a) from 1 September 2022 are—
    - (i) receiving nursery education at a maintained nursery school;
    - (ii) in their reception year at a maintained school;
    - (iii) in years 1 to 6 at a maintained school;
    - (iv) in year 7 at a maintained school where the head teacher and governing body have adopted a relevant curriculum under Part 2 of the 2021 Act;
  - (b) from 1 September 2023 are—
    - (i) in year 7;
    - (ii) in year 8;
  - (c) from 1 September 2024 are in year 9;
  - (d) from 1 September 2025 are in year 10;
  - (e) from 1 September 2026 are in years 11 to 13.
- (3) In regulation 13(7)(a), omit “key stage or”.
- (4) In Schedule 1—
- (a) in paragraph 19, omit “sections 116A to 116O of the 2002 Act and”,
  - (b) omit paragraph 23, and
  - (c) in paragraph 24—
    - (i) after “section 390 of the 1996 Act” insert “or a Standing Advisory Council on Religion, Values and Ethics constituted by the local authority under section 390(1A) of the 1996 Act”, and
    - (ii) after “Schedule 31 to the 1996 Act” insert “or of Religion, Values and Ethics(10) in accordance with Schedule 1 to the Curriculum and Assessment (Wales) Act 2021”.

### **School Information (Wales) Regulations 2011**

- 8.—(1) The School Information (Wales) Regulations 2011(11) are amended as follows.
- (2) These amendments take effect in respect of pupils who—
- (a) from 1 September 2022 are—
    - (i) in a reception year at a maintained school;
    - (ii) in years 1 to 6 at a maintained school;
    - (iii) in year 7 at a maintained school where the head teacher and governing body have adopted a relevant curriculum under Part 2 of the 2021 Act;

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(9) [S.I. 2010/824 \(W. 87\)](#).

(10) Schedule 31 to the Education Act 1996 was amended by Schedule 1 to the 2021 Act. Paragraph A1 of Schedule 31 imposes the duty to convene a conference for the purpose of preparing the first syllabus of Religion, Values and Ethics to be adopted by the local authority in Wales under section 375A of that Act; paragraph 9A of Schedule 13 makes provision in respect of the adoption of the first syllabus of Religion, Values and Ethics.

(11) [S.I. 2011/1944 \(W. 211\)](#), amended by [S.I. 2013/1944 \(W. 53\)](#); there are other amending instruments but none is relevant.

- (b) from 1 September 2023 are—
    - (i) in year 7;
    - (ii) in year 8;
  - (c) from 1 September 2024 are in year 9 at a maintained school;
  - (d) from 1 September 2025 are in year 10 at a maintained school;
  - (e) from 1 September 2026 are in year 11 at a maintained school.
- (3) In regulation 2(1)—
- (a) omit the definition of “foundation phase”,
  - (b) omit the definition of “key stage”,
  - (c) in the definition of “language category”, for the words from “Defining schools” to “Circular 023/2007” substitute “Guidance on school categories according to Welsh-medium provision” first published by the Welsh Ministers on 16 December 2021”,
  - (d) omit the definition of “statutory assessments”, and
  - (e) at the appropriate place insert—
    - ““Curriculum for Wales” (“*Cwricwlwm i Gymru*”) means a curriculum implemented in accordance with the Curriculum and Assessment (Wales) Act 2021(12);”.
- (4) In Schedule 2, in paragraph 8, for “National Curriculum in Welsh under sections 112, 113 or 114 of the 2002 Act” substitute “mandatory element of Welsh, as set out in section 3(2) of the Curriculum and Assessment (Wales) Act 2021, under sections 41, 42 and 48 of that Act”.
- (5) In Schedule 3—
- (a) omit paragraph 12,
  - (b) omit paragraph 13,
  - (c) for paragraph 16 substitute—
    - “16. A summary of the adopted curriculum as required under section 11(1)(b) of the Curriculum and Assessment (Wales) Act 2021.”,
  - (d) in paragraph 17—
    - (i) for “section 71” substitute “regulations made under section 71(7A)”, and
    - (ii) omit “or education”,
  - (e) in paragraph 26(1)(a), for “key stage” substitute “age group”, and
  - (f) in paragraph 26(2), for “National Curriculum in Welsh under section 112, 113 or 114 of the 2002 Act” substitute “mandatory element of Welsh, as set out in section 3(2) of the Curriculum and Assessment (Wales) Act 2021, under sections 41, 42 and 48 of that Act”.

### **Operation of the Local Curriculum (Wales) Regulations 2013**

9.—(1) The Operation of the Local Curriculum (Wales) Regulations 2013(13) are amended as follows.

- (2) These amendments take effect in respect of pupils who—
  - (a) on 1 September 2025 are in year 10 at a maintained school;
  - (b) on 1 September 2026 are in year 11 at a maintained school.

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(12) Part 2 of the 2021 Act makes provision for the design, adoption and implementation of a curriculum for maintained schools, maintained nursery schools and funded non-maintained nursery education providers in Wales. See also Part 3 of Chapter 4 of that Act for provision as to a curriculum for the exceptional provision of education in pupil referral units or elsewhere.

(13) [S.I. 2013/1793 \(W. 180\)](#).

- (3) In regulation 2—
- (a) omit the definition of “fourth key stage”, and
  - (b) for the definition of “local curriculum” substitute—
    - ““local curriculum” (*“cwrïcwlwm lleol”*), in relation to students who are above compulsory school age but have not attained the age of nineteen, has the meaning given by section 33N of the 2000 Act;”.
- (4) In regulation 13—
- (a) in paragraph (1)(a), omit “section 116D(1) of the 2002 Act or”, and
  - (b) in paragraph (2)(a), omit “section 116D(1) of the 2002 Act or”.

### **Education (Induction Arrangements for School Teachers) (Wales) Regulations 2015**

**10.**—(1) The Education (Induction Arrangements for School Teachers) (Wales) Regulations 2015(**14**) are amended as follows.

- (2) These amendments take effect in respect of pupils who—
- (a) from 1 September 2022 are—
    - (i) in a reception year at an independent school;
    - (ii) in years 1 to 6 at an independent school;
    - (iii) in year 7 at an independent school where the head teacher has adopted a relevant curriculum under Part 2 of the 2021 Act;
  - (b) from 1 September 2023 are—
    - (i) in year 7 at an independent school;
    - (ii) in year 8 at an independent school;
  - (c) from 1 September 2024 are in year 9 at an independent school;
  - (d) from 1 September 2025 are in year 10 at an independent school;
  - (e) from 1 September 2026 are in year 11 at an independent school.
- (3) In regulation 3(1)—
- (a) omit the definition of “key stage”, and
  - (b) at the appropriate places insert—
    - ““the 2021 Act” (*“Deddf 2021”*) means the Curriculum and Assessment (Wales) Act 2021;”;
    - ““pupil” (*“disgybl”*) has the meaning given to it in section 3 of the Education Act 1996;”;
    - ““reception year” (*“blwyddyn derbyn”*) means a year group in which the majority of the pupils attain the age of 5;”;
    - ““year 1” (*“blwyddyn 1”*) means the year group in which the majority of pupils attain the age of 6;”;
    - ““year 2” (*“blwyddyn 2”*) means the year group in which the majority of pupils attain the age of 7;”;
    - ““year 3” (*“blwyddyn 3”*) means the year group in which the majority of pupils attain the age of 8;”;



““year 4” (“*blwyddyn 4*”) means the year group in which the majority of pupils attain the age of 9;”;

““year 5” (“*blwyddyn 5*”) means the year group in which the majority of pupils attain the age of 10;”;

““year 6” (“*blwyddyn 6*”) means the year group in which the majority of pupils attain the age of 11;”;

““year 7” (“*blwyddyn 7*”) means the year group in which the majority of pupils attain the age of 12;”;

““year 8” (“*blwyddyn 8*”) means the year group in which the majority of pupils attain the age of 13;”;

““year 9” (“*blwyddyn 9*”) means the year group in which the majority of pupils attain the age of 14;”;

““year 10” (“*blwyddyn 10*”) means the year group in which the majority of pupils attain the age of 15;”;

““year 11” (“*blwyddyn 11*”) means the year group in which the majority of pupils attain the age of 16;”;

““year group” (“*grŵp blwyddyn*”) means a group of pupils at a school the majority of whom will, in a particular school year, attain the same age.”

(4) In regulation 7(3)—

(a) for sub-paragraph (a) substitute—

“(a) in the case of a person who is employed to teach pupils in years 7 to 11, the curriculum of the school for pupils in those year groups includes all the areas of learning and experience, including the mandatory elements, as defined in section 3 of the 2021 Act, which such person is employed to teach; and”, and

(b) for sub-paragraph (b) substitute—

“(b) in all cases, the curriculum for all registered pupils in their reception year and in years 1 to 6 includes all the areas of learning and experience, including the mandatory elements, as defined in section 3 of the 2021 Act; and”.

## Care Planning, Placement and Case Review (Wales) Regulations 2015

11.—(1) The Care Planning, Placement and Case Review (Wales) Regulations 2015(15) are amended as follows.

(2) These amendments take effect in respect of pupils who—

(a) on 1 September 2025 are in year 10 at a maintained school;

(b) on 1 September 2026 are in year 11 at a maintained school.

(3) In regulation 2(1), at the appropriate places insert—

““year 10” (“*blwyddyn 10*”) means the year group in which the majority of pupils attain the age of 15;”;

““year 11” (“*blwyddyn 11*”) means the year group in which the majority of pupils attain the age of 16;”;

““year group” (“*grŵp blwyddyn*”) means a group of pupils at a school the majority of whom will, in a particular school year, attain the same age;”.

(4) In regulation 11(1), for “the fourth key stage” substitute “year 10 or year 11”.

### **Religious Character of Schools (Designation Procedure) (Wales) Regulations 2016**

**12.**—(1) The Religious Character of Schools (Designation Procedure) (Wales) Regulations 2016<sup>(16)</sup> are amended as follows.

(2) These amendments take effect in respect of pupils at a maintained nursery school or maintained school who—

- (a) from 1 September 2022 are—
  - (i) receiving nursery education;
  - (ii) in a reception year;
  - (iii) in years 1 to 6;
  - (iv) in year 7 at a maintained school where the head teacher and governing body have adopted a relevant curriculum under Part 2 of the 2021 Act;
- (b) from 1 September 2023 are—
  - (i) in year 7;
  - (ii) in year 8;
- (c) from 1 September 2024 are in year 9 at a maintained school;
- (d) from 1 September 2025 are in year 10 at a maintained school;
- (e) from 1 September 2026 are in years 11 to 13 at a maintained school.

(3) In regulation 2(1), for the definition of “the relevant religion or religious denomination” substitute—

““the relevant religion or religious denomination” (*“y grefydd berthnasol neu’r enwad crefyddol perthnasol”*) means the religion or religious denomination in accordance with whose tenets teaching and learning in respect of Religion, Values and Ethics is provided—

- (a) under paragraph 7(3) or paragraph 8(4) of Schedule 1 to the Curriculum and Assessment (Wales) Act 2021, or
- (b) under section 61 of that Act, and in accordance with—
  - (i) any provisions of the school’s trust deed that relate to teaching and learning in respect of the mandatory element of Religion, Values and Ethics, or
  - (ii) the tenets of the religion or religious denomination specified in relation to the school in an order under section 68A of the School Standards and Framework Act 1998<sup>(17)</sup>.”

(4) In regulation 4(3), for “69(3)” substitute “68A(1)”.

### **Education (Supply of Information about the School Workforce) (Wales) Regulations 2017**

**13.**—(1) The Education (Supply of Information about the School Workforce) (Wales) Regulations 2017<sup>(18)</sup> are amended as follows.

(2) These amendments take effect in respect of pupils who—

- (a) from 1 September 2022 are—
  - (i) receiving nursery education at a maintained school or a maintained nursery school;
  - (ii) in a reception year at a maintained school;

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<sup>(16)</sup> S.I. 2016/1144 (W. 275).

<sup>(17)</sup> See section 47(2) of the Education Act 2005 inserted by S.I. 2022/XXX which substitutes the definition of “denominational education” in relation to Wales.

<sup>(18)</sup> S.I. 2017/940 (W. 233).

- (iii) in years 1 to 6 at a maintained school;
  - (iv) in year 7 at a maintained school where the head teacher and governing body have adopted a relevant curriculum under Part 2 of the 2021 Act;
  - (b) from 1 September 2023 are—
    - (i) in year 7;
    - (ii) in year 8;
  - (c) from 1 September 2024 are in year 9 at a maintained school;
  - (d) from 1 September 2025 are in year 10 at a maintained school;
  - (e) from 1 September 2026 are in year 11 at a maintained school.
- (3) In regulation 2(1)—
- (a) for the definition of “areas of learning” substitute—
    - ““areas of learning and experience” (*“meysydd dysgu a phrofiad”*) has the meaning given to it in section 3(1) of the 2021 Act;”;
  - (b) omit the definition of “foundation phase”;
  - (c) omit the definition of “key stage”;
  - (d) omit the definition of “subjects”, and
  - (e) at the appropriate places insert—
    - ““the 2021 Act” (*“Deddf 2021”*) means the Curriculum and Assessment (Wales) Act 2021;”;
    - ““funded non-maintained nursery education” (*“addysg feithrin a gyllidir ond nas gynhelir”*) has the meaning given to it in section 80(1)(a) of the 2021 Act;”;
    - ““maintained nursery school” (*“ysgol feithrin a gynhelir”*) has the meaning given to it in section 79(1)(b) of the 2021 Act;”;
    - ““maintained school” (*“ysgol a gynhelir”*) has the meaning given to it in section 79(1)(a) of the 2021 Act;”;
    - ““nursery education” (*“addysg feithrin”*) means education provided to pupils below compulsory school age in a maintained school or a maintained nursery school;”;
    - ““pupil” (*“disgybl”*) has the meaning given to it in section 3 of the 1996 Act;”;
    - ““reception year” (*“blwyddyn derbyn”*) means a year group in which the majority of the pupils in the class attain the age of 5;”;
    - ““year 1” (*“blwyddyn 1”*) means a year group in which the majority of the pupils attain the age of 6;”;
    - ““year 2” (*“blwyddyn 2”*) means a year group in which the majority of the pupils attain the age of 7;”;
    - ““year 3” (*“blwyddyn 3”*) means the year group in which the majority of pupils attain the age of 8;”;
    - ““year 4” (*“blwyddyn 4”*) means the year group in which the majority of pupils attain the age of 9;”;
    - ““year 5” (*“blwyddyn 5”*) means the year group in which the majority of pupils attain the age of 10;”;
    - ““year 6” (*“blwyddyn 6”*) means the year group in which the majority of pupils attain the age of 11;”;

““year 7” (“*blwyddyn 7*”) means the year group in which the majority of pupils attain the age of 12;”;

““year 8” (“*blwyddyn 8*”) means the year group in which the majority of pupils attain the age of 13;”;

““year 9” (“*blwyddyn 9*”) means the year group in which the majority of pupils attain the age of 14;”;

““year 10” (“*blwyddyn 10*”) means the year group in which the majority of pupils attain the age of 15;”;

““year 11” (“*blwyddyn 11*”) means the year group in which the majority of pupils attain the age of 16;”;

““year group” (“*grŵp blwyddyn*”) means a group of pupils at a school the majority of whom will, in a particular school year, attain the same age.”.

(4) In the Schedule—

(a) in paragraph 8—

- (i) in sub-paragraph (a), for “or subjects” substitute “and experience”,
- (ii) in sub-paragraph (b), for “the foundation phase” substitute “pupils receiving nursery education or pupils in their reception year, year 1 or year 2”,
- (iii) in sub-paragraph (c), for “the key stages and if so which key stages” substitute “pupils in years 3 to 11, and if so, which of those years”,
- (iv) for sub-paragraph (d) substitute—
  - “(d) whether P teaches areas of learning and experience through the medium of Welsh, other than the mandatory element of Welsh;”, and
- (v) omit sub-paragraph (e),

(b) in paragraph 11(c), omit “national curriculum school”, and

(c) in paragraph 14—

- (i) in sub-paragraph (e), after “areas of learning” insert “and experience”,
- (ii) omit sub-paragraph (f),
- (iii) in sub-paragraph (g), for “the key stages” substitute “which year groups”, and
- (iv) omit sub-paragraph (h).

14 June 2022

*Jeremy Miles*  
Minister for Education and Welsh Language, one  
of the Welsh Ministers

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## EXPLANATORY NOTE

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

The Curriculum and Assessment (Wales) Act 2021 (“the 2021 Act”) establishes a new legal framework for a curriculum and makes provision about assessment for children and pupils in Wales (“the new CfW”). Section 74(1) of the 2021 Act provides that the Welsh Ministers may make consequential amendments in relation to that Act in order to give it its effect. Section 75(1)(b) of the 2021 Act further provides that the Welsh Ministers may make different provision for different purposes.

The new CfW will be rolled out for children and pupils in a phased manner. The new CfW will become mandatory for the year groups in schools and other settings as follows—

- (a) from 1 September 2022 for—
  - (i) children for whom funded non-maintained nursery education is provided,
  - (ii) pupils receiving nursery education at maintained schools and maintained nursery schools,
  - (iii) pupils in their reception year, and
  - (iv) pupils in years 1 to 6,
- (b) from 1 September 2022 for children and pupils in year 7 in those schools and other settings where there is a curriculum provided in accordance with the 2021 Act,
- (c) from 1 September 2023 for children and pupils—
  - (i) in year 7, and
  - (ii) in year 8,
- (d) from 1 September 2024 for children and pupils in year 9,
- (e) from 1 September 2025 for children and pupils in year 10, and
- (f) from 1 September 2026 for children and pupils in years 11 to 13.

These Regulations apply in relation to children and pupils to whom education is provided—

- (a) in maintained schools,
- (b) in maintained nursery schools,
- (c) by funded non-maintained nursery education providers,
- (d) in pupil referral units, and
- (e) by persons who provide teaching and learning for a child otherwise than at a maintained school, maintained nursery school or pupil referral unit by virtue of arrangements made under section 19A of the Education Act 1996.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.