
WELSH STATUTORY INSTRUMENTS

2001 No. 3708 (W.304)

EDUCATION, WALES

The Education (Schools and Further and Higher Education) (Amendment) (Wales) Regulations 2001

Made - - - - *15th November 2001*

Coming into force - - *1st January 2002*

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred on the Secretary of State by sections 218(7) and 232(5) and (6) of the Education Reform Act 1988⁽¹⁾ and sections 544 and 569(4) and (5) of the Education Act 1996⁽²⁾ and now vested in the Assembly⁽³⁾.

1.—(1) These Regulations are called the Education (Schools and Further and Higher Education) (Amendment) (Wales) Regulations 2001 and shall come into force on 1st January 2002.

2. They apply only in relation to Wales.

3. The Education (Schools and Further and Higher Education) Regulations 1989⁽⁴⁾ shall be amended as follows —

- (a) in regulation 4(1)(a) for the words “, a special school not so maintained or a grant-maintained school” substitute the words “or a special school not so maintained”; and
- (b) regulation 8 shall be revoked.

(1) 1988 c. 40. Section 218(7) was amended by the Education Act 1996 (c. 56), Schedule 38, Part I. Section 232(6) was amended by section 14(4) of the Education Act 1994 (c. 30).

(2) 1996 c. 56; section 544 was amended by the School Standards and Framework Act 1998 (c. 31), Schedule 30, paragraph 160. For the definition of “regulations” see section 579(1).

(3) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(4) S.I. 1989/351, as amended in relation to England by S.I. 2001/692. The Regulations continue to have effect (in relation to Wales) by virtue of paragraph 1 of Schedule 39 to the Education Act 1996.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(5)

15th November 2001

John Marek
The Deputy Presiding Officer of the National
Assembly

EXPLANATORY NOTE

(This note is not part of the Regulation)

These Regulations amend the Education (Schools and Further and Higher Education) Regulations 1989 (“the 1989 Regulations”) in relation to Wales.

Regulation 4 of the 1989 Regulations is amended to remove the reference to a grant maintained school (a category of school which no longer exists).

Regulation 8 is revoked so that there is no longer a requirement for the National Assembly for Wales to approve the provision of new premises involving building work or alterations to existing premises at a school, further or higher education institution or a hostel for pupils with special educational needs.

The revocation only removes the need for approval under the Regulations and not the need for any approval or consent under any other enactment.

Similar amendments were made for England by the Education (Schools and Further and Higher Education) (Amendment) (England) Regulations 2001 ([S.I. 2001/692](#)).