



Education Act 2002

2002 CHAPTER 32

PART 7

THE CURRICULUM IN WALES

General duties in respect of the curriculum

99 General requirements in relation to curriculum

- (1) The curriculum for a maintained school or maintained nursery school satisfies the requirements of this section if it is a balanced and broadly based curriculum which—
 - (a) promotes the spiritual, moral, cultural, mental and physical development of pupils at the school and of society, and
 - (b) prepares pupils at the school for the opportunities, responsibilities and experiences of later life.
- (2) The curriculum for any funded nursery education provided otherwise than at a maintained school or maintained nursery school satisfies the requirements of this section if it is a balanced and broadly based curriculum which—
 - (a) promotes the spiritual, moral, cultural, mental and physical development of the pupils for whom the funded nursery education is provided and of society, and
 - (b) prepares those pupils for the opportunities, responsibilities and experiences of later life.

Modifications etc. (not altering text)

- C1** S. 99(1) modified (temp. from 19.12.2002) by [The Education Act 2002 \(Transitional Provisions\) \(Wales\) Regulations 2002 \(S.I. 2002/3184\)](#), [reg. 5\(1\)\(2\)](#)

Commencement Information

- I1** S. 99(1) in force at 19.12.2002 by [S.I. 2002/3185](#), art. 4, [Sch. Pt. I](#)

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Changes to legislation: Education Act 2002, Cross Heading: General duties in respect of the curriculum is up to date with all changes known to be in force on or before 19 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

I2 S. 99(2) in force at 1.8.2008 by [S.I. 2008/1728](#), art. 3, **Sch. Pt. 1**

100 Duty to implement general requirements

- (1) [^{F1}The Welsh Ministers shall exercise their functions] with a view to securing—
 - (a) that the curriculum for every maintained school or maintained nursery school satisfies the requirements of section 99, and
 - (b) that the curriculum for any funded nursery education provided otherwise than at a maintained school or maintained nursery school satisfies the requirements of that section.
- (2) Every [^{F2}local authority] in Wales shall exercise their functions with a view to securing—
 - (a) that the curriculum for every maintained school or maintained nursery school which they maintain satisfies the requirements of section 99, and
 - (b) that the curriculum for any funded nursery education provided, under arrangements made by them, otherwise than at a maintained school or maintained nursery school, satisfies the requirements of section 99.
- (3) The governing body and head teacher of every maintained school or maintained nursery school shall exercise their functions with a view to securing that the curriculum for the school satisfies the requirements of section 99.
- (4) The functions referred to in subsections (1) to (3) include in particular—
 - (a) functions conferred by this Part in relation to the National Curriculum for Wales, ^{F3}...
 - (b) except in relation to maintained nursery schools or the provision of funded nursery education otherwise than at a maintained school or maintained nursery school, functions relating to religious education and religious worship [^{F4}, and]
 - [^{F5}(c) functions conferred by this Part in relation to the local curriculum or curricula for a [^{F2}local authority]'s area.]
- (5) Any person providing funded nursery education under the arrangements mentioned in section 98(2)(b) shall secure that the curriculum for that funded nursery education satisfies the requirements of section 99.
- (6) In exercising any function which may affect the provision of sex education in maintained schools, every [^{F2}local authority] in Wales shall have regard to the guidance issued by the [^{F6}Welsh Ministers] under section 403(1A) of the Education Act 1996 (c. 56).
- (7) Except to the extent provided in subsection (6), nothing in this section shall be taken to impose duties on a [^{F2}local authority] with regard to sex education.
- (8) In exercising any function which may affect the provision in maintained schools of education of a kind required by virtue of an order under section 101(3)(a), a [^{F2}local authority] in Wales or the governing body of a maintained school shall have regard to any guidance from time to time given by the [^{F7}Welsh Ministers].

Textual Amendments

- F1** Words in s. 100(1) substituted (7.12.2009) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), s. 49(2), **Sch. para. 14**; [S.I. 2009/3174](#), art. 2(1)(r)

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- F2** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\), art. 1, Sch. 2 para. 11\(2\)](#)
- F3** Word in s. 100(4)(a) omitted (1.1.2010) by virtue of [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\), ss. 2\(2\), 49\(2\); S.I. 2009/3174, art. 2\(2\)\(a\)](#)
- F4** Word in s. 100(4)(b) inserted (1.1.2010) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\), ss. 2\(2\), 49\(2\); S.I. 2009/3174, art. 2\(2\)\(a\)](#)
- F5** S. 100(4)(c) inserted (1.1.2010) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\), ss. 2\(3\), 49\(2\); S.I. 2009/3174, art. 2\(2\)\(a\)](#)
- F6** Words in s. 100(6) substituted (7.12.2009) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\), s. 49\(2\), Sch. paras. 12, 13; S.I. 2009/3174, art. 2\(1\)\(r\)](#)
- F7** Words in s. 100(8) substituted (7.12.2009) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\), s. 49\(2\), Sch. paras. 12, 13; S.I. 2009/3174, art. 2\(1\)\(r\)](#)

Modifications etc. (not altering text)

- C2** S. 100 modified (temp. from 19.12.2002) by [The Education Act 2002 \(Transitional Provisions\) \(Wales\) Regulations 2002 \(S.I. 2002/3184\), reg. 5\(1\)\(3\)](#)
- C3** S. 100(1)(a)(2)(a)(3) modified (temp. from 19.12.2002) by [The Education Act 2002 \(Transitional Provisions\) \(Wales\) Regulations 2002 \(S.I. 2002/3184\), reg. 5\(1\)\(2\)](#)

Commencement Information

- I3** S. 100(1)(a)(2)(a)(3)(4)(6)-(8) in force at 19.12.2002 by [S.I. 2002/3185, art. 4, Sch. Pt. 1](#)
- I4** S. 100(1)(b)(2)(b)(5) in force at 1.8.2008 by [S.I. 2008/1728, art. 3, Sch. Pt. 1](#)

101 Basic curriculum for every maintained school in Wales

- (1) The curriculum for every maintained school in Wales shall comprise a basic curriculum which includes—
- (a) provision for religious education for all registered pupils at the school (in accordance with such of the provisions of Schedule 19 to the School Standards and Framework Act 1998 (c. 31) as apply in relation to the school),
 - (b) a curriculum for all registered pupils at the school who have attained the age of three but are not over compulsory school age (known as “the National Curriculum for Wales”),
 - [^{F8}(ba) provision for personal and social education for all registered pupils at the school who are of compulsory school age,]
 - [^{F9}(bb) provision for work-related education for all registered pupils at the school [^{F10}during the third and fourth key stages],]
 - (c) in the case of a secondary school, provision for sex education for all registered pupils at the school, ^{F11}...
 - [^{F12}(ca) in the case of a secondary school, provision for education which satisfies the entitlements of registered pupils at the school under section 116E, and]
 - (d) in the case of a special school, provision for sex education for all registered pupils at the school who are provided with secondary education.
- (2) Subsection (1)(a) does not apply—
- (a) in relation to a nursery class in a primary school, or
 - (b) in the case of a maintained special school (provision as to religious education in special schools being made by regulations under section 71(7) of the School Standards and Framework Act 1998 (c. 31)).
- (3) The [^{F13}Welsh Ministers] may by order—

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- (a) amend subsection (1) so as to add further requirements (otherwise than in relation to religious education or sex education),
- (b) amend subsection (1)(b)—
 - (i) by substituting for the reference to the age of three (or to any age specified there by virtue of this sub-paragraph) a reference to such other age as may be specified in the order, or
 - (ii) by substituting for the reference to compulsory school age (or to any age specified there by virtue of this sub-paragraph) a reference to such other age as may be specified in the order, and
- (c) amend any provision included in subsection (1) by virtue of paragraph (a) of this subsection.

Textual Amendments

- F8** S. 101(1)(ba) inserted (1.9.2003) by Basic Curriculum for Wales (Amendment) Order 2003 (S.I. 2003/932), arts. 1(2), **2(2)**
- F9** S. 101(1)(bb) inserted (1.9.2004) by The Basic Curriculum for Wales (Amendment) Order 2003 (S.I. 2003/932), arts. 1(3), **2(3)**
- F10** Words in s. 101(1)(bb) substituted (1.8.2008) by The School Curriculum in Wales (Miscellaneous Amendments) Order 2008 (S.I. 2008/1899), arts. 1, **2**
- F11** Word in s. 101(1)(c) omitted (1.1.2010) by virtue of Learning and Skills (Wales) Measure 2009 (nawm 1), ss. **3(2)**, 49(2); S.I. 2009/3174, art. 2(2)(b)
- F12** S. 101(1)(ca) inserted (1.1.2010) by Learning and Skills (Wales) Measure 2009 (nawm 1), ss. **3(3)**, 49(2); S.I. 2009/3174, art. 2(2)(b)
- F13** Words in s. 101(3) substituted (7.12.2009) by Learning and Skills (Wales) Measure 2009 (nawm 1), s. 49(2), Sch. paras. 12, **13**; S.I. 2009/3174, art. 2(1)(r)

Modifications etc. (not altering text)

- C4** S. 101 modified (temp. from 19.12.2002) by The Education Act 2002 (Transitional Provisions) (Wales) Regulations 2002 (S.I. 2002/3184), reg. **5(1)(4)**
- C5** S. 101(1)(d) applied (23.4.2007) by The Education (Pupil Referral Units) (Application of Enactments) (Wales) Regulations 2007 (S.I. 2007/1069), reg. **1(1)**, Sch. **1 para. 10**

Commencement Information

- I5** S. 101 partly in force; s. 101 not in force at Royal Assent, see s. 216; s. 101 (except for s. 101(3)(b)) in force at 19.12.2002 by S.I. 2002/3185, art. 4, Sch. Pt. **I**
- I6** S. 101(3)(b) in force at 1.8.2008 by S.I. 2008/1728, art. 3, Sch. Pt. **I**

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