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STATUTORY INSTRUMENTS

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**1994 No. 959**

**The Education (Individual Pupils' Achievements)  
(Information) (Wales) Regulations 1994**

**Interpretation**

2.—(1) In these Regulations—

“the Act” means the Education Reform Act 1988;

“attendance record” means the record of a pupil’s school attendance contained in the Attendance Register kept in accordance with section 80 of the Education Act 1944(1) and the Pupils' Registration Regulations 1956(2);

“class” has the meaning assigned to it by section 3(6) of the Act;

“GCE ‘A’ level” and “GCE ‘AS’” mean General Certificate of Education advanced level and advanced supplementary respectively;

“GCSE” means General Certificate of Secondary Education;

“IB” means International Baccalaureate Diploma;

“key stage” means any of the periods set out in paragraphs (a) to (d) respectively of section 3(3) of the Act, and a reference to the first, third or fourth key stage is a reference to the periods set out respectively in the said paragraphs (a), (c) and (d);

“levels” means the levels of attainment set out in any document of a kind referred to in section 4(4) of the Act the provisions of which have effect, or (as the case may be) have effect as amended, by virtue of any Order made under section 4(2)(a) or (b) of the Act and, unless the context otherwise requires, means such levels determined in accordance with the statutory arrangements;

“maintained school” has the meaning assigned to it by section 25(1) of the Act;

“NC tests” means National Curriculum tests administered to pupils for the purpose of assessing the levels of attainment which they have achieved in attainment targets or in the relevant subjects;

“relevant subjects” means in relation to Key Stage 1—

(a) mathematics and science,

(b) in the case of schools and classes which are Welsh-speaking, Welsh, and

(c) in the case of schools and classes which are not Welsh-speaking, English;

and, in relation to Key Stage 3, mathematics, science, Welsh and English.

“school day” means a day on which the school meets;

“teacher assessment” means assessment of a pupil’s level of attainment in an attainment target or relevant subject by the pupil’s teacher as specified in the statutory arrangements;

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(1) 1944 c. 31; section 80 was repealed in part and extended by section 4 of and Schedule 2 to the Education (Miscellaneous Provisions) Act 1948 (c. 40) and was amended by Schedule 1 to the Education Act 1980 (c. 20) and paragraph 58 of Schedule 12 to the Education Reform Act 1988. For matters to be prescribed see section 114(1) of the Education Act 1944.

(2) S.I. 1956/357, amended by S.I. 1987/1285, 1988/1185 and 1991/1582.

“the statutory arrangements” means assessment arrangements specified by orders made under section 4(2)(c) of the Act; and

“vocational qualification” includes a credit towards such a qualification.

(2) In these Regulations a reference to an attainment target or subject from which a pupil is exempt is to an attainment target or subject which does not apply to a pupil by virtue of regulations made under section 17 of the Act, provision made pursuant to section 18 of the Act in the pupil’s statement of special educational needs made under section 7 of the Education Act 1981<sup>(3)</sup> or a direction given by the headteacher pursuant to regulations made under section 19 of the Act<sup>(4)</sup>.

(3) In these regulations a reference to a school or class which is Welsh-speaking is a reference to a school or class (as the case may be) where in relation to pupils in the first key stage more than one half of the following subjects namely—

(i) religious education; and

(ii) the subjects other than English and Welsh which are foundation subjects in relation to pupils at the school or in the class (as the case may be),

are taught (wholly or partly) in Welsh;

(4) In these Regulations, unless the context otherwise requires, any reference to a regulation is a reference to a regulation in these Regulations and any reference in a regulation to a paragraph is to a paragraph of the regulation or Schedule in which the reference is made, and any reference to a sub-paragraph is a reference to a sub-paragraph of the paragraph in which the reference is made.

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(3) 1981 c. 60.

(4) The current regulations are the Education (National Curriculum) (Temporary Exceptions for Individual Pupils) Regulations 1989 (S.I. 1989/1181).