
WELSH STATUTORY INSTRUMENTS

2001 No. 2678

**The Change of Category of Maintained
Schools (Wales) Regulations 2001**

Interpretation

3.—(1) In these Regulations, unless the context otherwise requires:

“the Act” (“*y Ddeddf*”) means the School Standards and Framework Act 1998(1);

“foundation body” (“*corff sefydledig*”) has the meaning given to it by section 21(4)(a) of the Act;

“the governing body” (“*y corff llywodraethu*”) means the governing body of the school in respect of which a change of category is proposed or, as the case may be, takes place;

“group” (“*grŵp*”) has the meaning given to it by section 21(4)(b) of the Act;

“the implementation date” (“*y dyddiad gweithredu*”) means the date specified in the proposals as the date on which it is proposed that the change of category should take place;

“the implementation period” (“*y cyfnod gweithredu*”) means the period commencing on the date proposals are approved under paragraph 8 of modified Schedule 6 to the Act, and ending on the implementation date;

“modified Schedule 6 to the Act” (“*Atodlen 6 addasedig i'r Ddeddf*”) means that Schedule as it has effect with modifications by virtue of regulation 7 of and Part I of Schedule 1 to these Regulations;

“modified Schedule 12 to the Act” (“*Atodlen 12 addasedig i'r Ddeddf*”) means that Schedule as it has effect with modifications by virtue of regulation 12 of and Part VI of Schedule 3 to these Regulations;

“the National Assembly” (“*y Cynulliad Cenedlaethol*”) means the National Assembly for Wales;

“the proposals” (“*y cynigion*”) means the proposals published under paragraph 2 or 3 of Schedule 8 to the Act with any modifications made by the National Assembly under paragraph 8 or 10 of modified Schedule 6 to the Act;

“publicly funded land” (“*tir a ariennir yn gyhoeddus*”) means land which was acquired—

- (a) from a local authority under a transfer under section 201(1)(a) of the Education Act 1996(2);
- (b) wholly by means of any maintenance, special purpose or capital grant (within the meaning of Chapter VI of Part III(3) of that Act);
- (c) wholly by means of any grant paid under regulation 3 of the Education (Schedule 32 to the School Standards and Framework Act 1998) (Wales) Regulations 1999(4);

(1) 1998 c. 31.

(2) 1996 c. 56. Section 201(1)(a) is repealed by Schedule 31 to the Act.

(3) Chapter VI of Part III is repealed by Schedule 31 to the Act.

(4) S.I.1999/1469.

- (d) wholly by means of expenditure incurred for the purposes of the school and treated by the local education authority as expenditure of a capital nature;
- (e) under a transfer under Schedule 4; or
- (f) wholly with the proceeds of disposal of any land acquired as mentioned in any of paragraphs (a) to (e);

“transfer agreement” (“*cytundeb trosglwyddo*”) means an agreement—

- (a) made between the local education authority and the trustees or the foundation body or the governing body of the school (as the case may be), and
- (b) providing for land to be transferred to, and vest in, the local education authority on the implementation date (whether or not in consideration of payment by the authority).

(2) Unless the context otherwise requires, a reference in these Regulations to a numbered regulation or Schedule is a reference to the regulation of, or Schedule to, these Regulations so numbered and a reference to a numbered paragraph is a reference to the paragraph so numbered in the regulation or Schedule in which the reference appears.