
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set out the procedure to be followed when the National Assembly for Wales designates an independent school as having a religious character in an order under section 69(3) of the School Standards and Framework Act 1998 as applied to independent schools by section 124B, which was inserted into the School Standards and Framework Act 1998 by the Independent Schools (Employment of Teachers with a Religious Character) Regulations 2003 (S.I.2003/2037). Section 124B(2) of the School Standards and Framework Act 1998 provides that an order under section 69(3) must state the religion or religious denomination in accordance with whose tenets education is provided at the school or the school is conducted.

Regulation 4 provides that an independent school's proprietor must apply to the National Assembly for an order under section 69(3) and sets out what that application must include. The National Assembly may consult any religious body which it considers appropriate regarding the school's application.

Regulation 5(1) sets out the circumstances in which the National Assembly must make an order designating the independent school as having a religious character. Regulation 5(2) sets out the circumstances in which the National Assembly may make an order designating the independent school as having a religious character.

Regulation 6 provides that the National Assembly must amend a designation order in respect of a school if it is satisfied that it is materially incorrect and when it must consult the proprietor of the school in connection with such an amendment.

A statement in relation to a school that the religious denomination is Roman Catholic does not determine whether or not the school is a Catholic School according to canon law.