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WELSH STATUTORY INSTRUMENTS

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**2010 No. 638**

The Federation of Maintained Schools and  
Miscellaneous Amendments (Wales) Regulations 2010

**PART 12**

FEDERATED SCHOOLS LEAVING FEDERATIONS

**Decision to permit federated school to leave a federation**

77.—(1) Upon notification that a governing body of a federation have resolved that a federated school should leave a federation paragraphs (2) or (3) are to apply.

(2) Where one of only two federated schools is to leave a federation, the federation is to be dissolved in accordance with Part 13.

(3) Where paragraph (2) does not apply,

(a) the local authority must—

- (i) establish a temporary governing body in respect of the school leaving the federation in accordance with Parts 3 and 4 of the New Maintained Schools Regulations; and
- (ii) issue a new instrument of government for that school in accordance with Part 5 of the Government of Maintained Schools Regulations;

(b) the governing body of the federation must review the instrument of government of the federation in accordance with regulation 42.

(4) For the purpose of paragraph (3)(a)(ii)—

- (a) the reference in regulation 32 of the Government of Maintained Schools Regulations to “governing bodies” is treated as a reference to “temporary governing bodies”; and
- (b) references in regulation 34 of the Government of Maintained Schools Regulations to—
  - (i) “governing body” are treated as references to “temporary governing body”; and
  - (ii) “foundation governors” are treated as references to “temporary foundation governors”.