

WELSH STATUTORY INSTRUMENTS

**2022 No. 517**

**The Education (Revocation of Assessment Arrangements in the National Curriculum and Miscellaneous Amendments) (Wales) Regulations 2022**

**PART 2**

**Revocation, Disapplication and Transitional Provision**

**The National Curriculum (Key Stage 2 Assessment Arrangements) (Wales) Order 2004**

**3.** The National Curriculum (Key Stage 2 Assessment Arrangements) (Wales) Order 2004(1) is revoked.

**Commencement Information**

**II** Reg. 3 in force at 30.5.2022, see [reg. 1\(2\)](#)

**The National Curriculum (Key Stage 3 Assessment Arrangements) (Wales) Order 2005**

**4.—(1)** The National Curriculum (Key Stage 3 Assessment Arrangements) (Wales) Order 2005(2) (“the 2005 Order”) does not apply to pupils in special schools from the school year 2021 to 2022.

(2) The following Orders are revoked on 1 September 2024—

- (a) the 2005 Order, and
- (b) the National Curriculum (Amendments to the Key Stage 2 and Key Stage 3 Assessment Arrangements) (Wales) Order 2011(3).

**Commencement Information**

**I2** Reg. 4 in force at 30.5.2022, see [reg. 1\(2\)](#)

**The Education (National Curriculum) (Assessment Arrangements for Reading and Numeracy) (Wales) Order 2013**

**5.—(1)** The Education (National Curriculum) (Assessment Arrangements for Reading and Numeracy) (Wales) Order 2013(4) (“the 2013 Order”) is to apply subject to the transitional provisions in paragraphs (2) to (5).

(1) S.I. 2004/2915 (W. 254), amended by S.I. 2005/3239 (W. 244) and S.I. 2011/1937 (W. 206).  
(2) S.I. 2005/1394 (W. 108), amended by S.I. 2005/3239 (W.244), S.I. 2008/1899 (W. 181) and S.I. 2011/1937 (W. 206).  
(3) S.I. 2011/1937 (W. 206).  
(4) S.I. 2013/433 (W. 51), amended by S.I. 2018/811 (W. 163).

- (2) The transitional provisions apply to pupils—
- (a) in year 2, year 3, year 4, year 5 and year 6 from the school year 2022 to 2023,
  - (b) in year 7 where the head teacher and governing body have adopted a relevant curriculum under Part 2 of the 2021 Act, from the school year 2022 to 2023,
  - (c) in year 7 who on 1 September 2022, are not within sub-paragraph (b), from the school year 2023 to 2024,
  - (d) in year 8 from the school year 2023 to 2024, and
  - (e) in year 9 from the school year 2024 to 2025.
- (3) In article 2(1) of the 2013 Order—
- (a) the definitions of “the NNT”, the “NRTE” and the “NRTW” are to be read as if the words “National Curriculum” were omitted,
  - (b) the following definitions are to be treated as if they were omitted—
    - (i) “the Welsh document”,
    - (ii) “Welsh programme of study”, and
    - (iii) “Welsh second language programme of study”,
  - (c) for the definition of “year 2” substitute—
 

““year 2” (“*blwyddyn 2*”) means the school year in which the majority of pupils in the class attain the age of 7;”,
  - (d) for the definition of “year 3” substitute—
 

““year 3” (“*blwyddyn 3*”) means the school year in which the majority of pupils in the class attain the age of 8;”,
  - (e) for the definition of “year 4” substitute—
 

““year 4” (“*blwyddyn 4*”) means the school year in which the majority of pupils in the class attain the age of 9;”,
  - (f) for the definition of “year 5” substitute—
 

““year 5” (“*blwyddyn 5*”) means the school year in which the majority of pupils in the class attain the age of 10;”,
  - (g) for the definition of “year 6” substitute—
 

““year 6” (“*blwyddyn 6*”) means the school year in which the majority of pupils in the class attain the age of 11;”,
  - (h) for the definition of “year 7” substitute—
 

““year 7” (“*blwyddyn 7*”) means the school year in which the majority of pupils in the class attain the age of 12;”,
  - (i) for the definition of “year 8” substitute—
 

““year 8” (“*blwyddyn 8*”) means the school year in which the majority of pupils in the class attain the age of 13; and
  - (j) for the definition of year 9 substitute—
 

““year 9” (“*blwyddyn 9*”) means the school year in which the majority of pupils in the class attain the age of 14.”.
- (4) For article 3(1) substitute—
- “(1) Subject to paragraph (4), this article applies to—
    - (a) a pupil in years 4 to 9; and

- (b) a pupil in years 2 and 3 where, in the opinion of the head teacher, the majority of that pupil's lessons are taught through the medium of English.”
- (5) For article 4(1) substitute—
- “(1) Subject to paragraph (4), this article applies to a pupil in years 2 to 9 where, in the opinion of the head teacher, the majority of that pupil's lessons are taught through the medium of Welsh.”
- (6) The following Orders are revoked on 1 September 2024—
- (a) the 2013 Order; and
- (b) the Education (National Curriculum) (Assessment Arrangements for Reading and Numeracy) (Wales) (Amendment) Order 2018<sup>(5)</sup>.

**Commencement Information**

**I3** Reg. 5 in force at 30.5.2022, see [reg. 1\(2\)](#)

**The National Curriculum (Assessment Arrangements for the Foundation Phase and the Second and Third Key Stages) (Wales) Order 2014**

6.—(1) The National Curriculum (Assessment Arrangements for the Foundation Phase and the Second and Third Key Stages) (Wales) Order 2014<sup>(6)</sup> (“the 2014 Order”) does not apply in the circumstances set out in paragraph (2).

- (2) The 2014 Order does not apply—
- (a) from the school year 2022 to 2023 to children and pupils in—
- (i) the nursery year,
- (ii) the reception year, and
- (iii) year 1, year 2, year 3, year 4, year 5 and year 6,
- (b) from the school year 2022 to 2023 to pupils in year 7 where the head teacher and governing body have adopted a relevant curriculum under Part 2 of the 2021 Act, and
- (c) from the school year 2023 to 2024 to pupils in year 7 and year 8.
- (3) The 2014 Order is revoked on 1 September 2024.

**Commencement Information**

**I4** Reg. 6 in force at 30.5.2022, see [reg. 1\(2\)](#)

**The National Curriculum (Moderation of Assessment Arrangements for the Second and Third Key Stages) (Wales) Order 2015**

7. The National Curriculum (Moderation of Assessment Arrangements for the Second and Third Key Stages) (Wales) Order 2015<sup>(7)</sup> is revoked on 30 May 2022.

(5) [S.I. 2018/811 \(W. 163\)](#).  
(6) [S.I. 2014/1999 \(W. 200\)](#).  
(7) [S.I. 2015/1309 \(W. 113\)](#).

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**Changes to legislation:** There are currently no known outstanding effects for the The Education (Revocation of Assessment Arrangements in the National Curriculum and Miscellaneous Amendments) (Wales) Regulations 2022, PART 2. (See end of Document for details)

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**Commencement Information**

**I5** Reg. 7 in force at 30.5.2022, see [reg. 1\(2\)](#)

**The National Curriculum (Desirable Outcomes, Educational Programmes and Baseline and End of Phase Assessment Arrangements for the Foundation Phase) (Wales) Order 2015**

**8.**—(1) In the National Curriculum (Desirable Outcomes, Educational Programmes and Baseline and End of Phase Assessment Arrangements for the Foundation Phase) (Wales) Order 2015<sup>(8)</sup> (“the 2015 Order”) omit Parts 3 and 4.

(2) The following Orders are revoked on 1 September 2022—

- (a) the 2015 Order, and
- (b) the National Curriculum (Desirable Outcomes, Educational Programmes and Baseline and End of Phase Assessment Arrangements for the Foundation Phase) (Wales) (Amendment) Order 2016<sup>(9)</sup>.

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**Commencement Information**

**I6** Reg. 8 in force at 30.5.2022, see [reg. 1\(2\)](#)

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<sup>(8)</sup> S.I. 2015/1596 (W. 195), amended by S.I. 2016/836 (W. 210).

<sup>(9)</sup> S.I. 2016/836 (W. 210).

**Changes to legislation:**

There are currently no known outstanding effects for the The Education (Revocation of Assessment Arrangements in the National Curriculum and Miscellaneous Amendments) (Wales) Regulations 2022, PART 2.