
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made under section 74(1) of the Curriculum and Assessment (Wales) Act 2021 (“the 2021 Act”) which enables the Welsh Ministers to make additional provision giving full effect to the 2021 Act and under section 75(1)(b) of the 2021 Act which enables the Welsh Ministers to make different provision for different purposes. The 2021 Act establishes a new framework for a curriculum and makes provision about assessment for pupils and children in Wales. This is the Curriculum for Wales (“CfW”).

The Regulations deal with consequential amendments to primary legislation arising from the implementation of the 2021 Act.

Regulation 1 of these Regulations provides for the commencement of these Regulations by year group. This will mirror the planned roll out of the CfW which will also be phased in over a period of time by year group.

The CfW and the provisions in these Regulations will become mandatory as follows—

- (a) on 1 September 2022—
 - (i) for a child or pupil receiving nursery education,
 - (ii) for a child or pupil in a reception year at a maintained school,
 - (iii) for a child or pupil in years 1 to 6,
- (b) on 1 September 2022 for a child or pupil in year 7 in those maintained schools, pupil referral units and for those children provided with non-PRU EOTAS where there is a curriculum adopted or otherwise provided in accordance with the 2021 Act,
- (c) on 1 September 2023 for a child or pupil in years 7 and 8,
- (d) on 1 September 2024 for a child or pupil in year 9,
- (e) on 1 September 2025 for a child or pupil in year 10, and
- (f) on 1 September 2026 for a child or pupil in years 11 to 13.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.