

*These notes refer to the School Standards and Organisation (Wales)
Act 2013 (c.1) which received Royal Assent on 4 March 2013*

SCHOOL STANDARDS AND ORGANISATION (WALES) ACT 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3 - School Organisation

Section 40 - Restriction on establishment, alteration and discontinuance of maintained schools

55. This section requires that the opening or closing of a maintained school, or the making of a significant alteration (known as a 'regulated alteration') be done in accordance with the processes set out in this Part – except where the Welsh Ministers are using their power of intervention to direct that a school be closed under section 16. The regulated alterations are set out in Schedule 2. Subsection (2) of section 40 prohibits the establishment of a new foundation or foundation special school in Wales. Subsection (5) prohibits any alteration to a maintained school that changes its religious character or causes it to acquire or lose a religious character.
56. Similar provision was made in sections 28(11) and 33 of the 1998 Act.