



# School Standards and Organisation (Wales) Act 2013

2013 anaw 1

## PART 3

### SCHOOL ORGANISATION

#### CHAPTER 2

#### SCHOOL ORGANISATION PROPOSALS

##### *Approval and determination of proposals*

#### **55 Implementation**

- (1) This section applies to—
  - (a) proposals approved under section 50 or 51, or
  - (b) proposals which the proposer has determined under section 53 to implement.
- (2) The proposals must (subject to the following provisions of this section) be implemented in the form in which they were approved or determined to be implemented—
  - (a) in the case of proposals made under section 41, 42, 43 or 44 (establishment, alteration or discontinuance of schools), in accordance with Schedule 3;
  - (b) in the case of proposals made under section 45 (change of category), in accordance with Schedule 4.
- (3) The proposer may (subject to subsection (6)) determine to delay implementation for a period of up to three years from the date or dates specified in the proposals (as approved or determined) as the date or dates on which they are to be implemented, if it is satisfied—

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*Status: This is the original version (as it was originally enacted).*

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- (a) that implementation of the proposals on that date or those dates would be unreasonably difficult, or
  - (b) that circumstances have so altered since the proposals were approved under section 50 or 51 or determined under section 53, that implementation of the proposals on that date or those dates would be inappropriate.
- (4) In the case of proposals to discontinue a school made under section 43 or 44, the proposer may (subject to subsection (6)) determine to bring forward implementation by a period of up to 13 weeks from the date or dates specified in the proposals (as approved or determined) as the date or dates on which they are to be implemented.
- (5) The proposer may (subject to subsection (6)) determine that subsection (2) does not apply to proposals if it is satisfied—
- (a) that implementation of the proposals would be unreasonably difficult, or
  - (b) that circumstances have so altered since the proposals were approved under section 50 or 51 or determined under section 53, that implementation of the proposals would be inappropriate.
- (6) In the case of proposals which have been approved under section 50 or 51, the proposer may only make a determination under subsection (3), (4) or (5) with the agreement of the Welsh Ministers.
- (7) Before the end of 7 days beginning with the day of the determination, the proposer must notify the following of any determination it makes under subsection (3), (4) or (5)—
- (a) the Welsh Ministers;
  - (b) (except where it is the proposer) the local authority that maintains, or that it is proposed will maintain the school to which the proposals relate;
  - (c) (except where it is the proposer) the governing body (if any) of the school to which the proposals relate.
- (8) Where, by virtue of subsection (5), subsection (2) ceases to apply to any proposals, those proposals are to be treated as if they had been rejected under section 50(5)(a) or 51(4)(a) or as if the proposer had determined under section 53 not to implement them.