



# Learning and Skills Act 2000

## 2000 CHAPTER 21

### PART II

[<sup>F1</sup>FURTHER EDUCATION AND SIXTH FORM EDUCATION: WALES]

[<sup>F1</sup>*The local curricula*

#### Textual Amendments

**F1** S. 33A and cross-heading inserted (14.2.2011) by [Learning and Skills \(Wales\) Measure 2009](#) (nawm 1), **ss. 22, 49(2)** (as amended by S.I. 2010/1148, art. 3); S.I. 2011/97, art. 2(2)(b)

#### **33A Formation of local curricula for students aged 16 to 18**

- (1) The Welsh Ministers must form for the area of each local authority one or more local curricula for students who are above compulsory school age but have not attained the age of nineteen.
- (2) Each local curriculum must consist of courses of study each of which—
  - (a) falls within a category in subsection (3) (the “learning domains”); and
  - (b) is from time to time selected by the Welsh Ministers to form part of that local curriculum.
- (3) The learning domains are—
  - (a) mathematics, science and technology;
  - (b) business, administration and law;
  - (c) services for people;
  - (d) arts, media, culture and languages;
  - (e) humanities, social sciences and preparation for life and work.
- (4) For the purposes of this section, a course of study falls within a particular learning domain if a direction of the Welsh Ministers so provides.]

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### [<sup>F2</sup>33B Local curricula: Welsh language

The Welsh Ministers must exercise their functions in relation to local curricula so as to promote access to and availability of courses of study which are taught through the medium of the Welsh language.]

#### Textual Amendments

**F2** S. 33B inserted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), **ss. 23**, 49(2); S.I. 2011/97, art. 2(1)(a)

### [<sup>F3</sup>33C Areas with more than one local curriculum

- (1) This section applies where the Welsh Ministers form more than one local curriculum for the area of a local authority under section 33A.
- (2) In relation to each local curriculum, the Welsh Ministers must designate the maintained schools or institutions whose relevant students are to be entitled to elect under section 33E to follow courses of study included within the curriculum.]

#### Textual Amendments

**F3** S. 33C inserted (14.2.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), **ss. 24**, 49(2) (as amended by S.I. 2010/1148, art. 3); S.I. 2011/97, art. 2(2)(c)

### [<sup>F4</sup>33D Determination of a pupil's “relevant school or institution”

- (1) Where, during the [<sup>F5</sup>fourth key stage][<sup>F5</sup>relevant period], a registered pupil of a maintained school requests that the school's head teacher determines the pupil's relevant school or institution, the head teacher must comply with that request. But this is subject to regulations made under subsection (3).

[ The relevant period, in relation to a registered pupil of a maintained school, is the <sup>F6</sup>(1A) period—

- (a) beginning at the same time as the school year in which the majority of pupils in the pupil's class attain the age of 15, and
  - (b) ending at the same time as the school year in which the majority of pupils in the pupil's class cease to be of compulsory school age.]
- (2) A pupil's relevant school or institution is the maintained school or institution whose governing body is, in the opinion of the head teacher, likely to be responsible for providing (or making arrangements for the provision of) the majority of the pupil's education once he or she has ceased to be of compulsory school age.
  - (3) Regulations may make provision as to the making of requests and determinations under this section, including in particular provision as to the date or time by which a request or determination is to be made.
  - (4) This section does not require any person to admit a pupil to a particular school or institution.]

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#### Textual Amendments

- F4** S. 33D inserted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), **ss. 25**, 49(2); S.I. 2011/97, art. 2(1)(b)
- F5** Words in s. 33D(1) substituted (1.9.2022 for specified purposes, 1.9.2023 for specified purposes) by [The Curriculum and Assessment \(Wales\) Act 2021 \(Consequential Amendments\) \(Primary Legislation\) Regulations 2022 \(S.I. 2022/744\)](#), reg. 1(3), **Sch. 2 para. 5(2)(a)**
- F6** S. 33D(1A) inserted (1.9.2022 for specified purposes, 1.9.2023 for specified purposes) by [The Curriculum and Assessment \(Wales\) Act 2021 \(Consequential Amendments\) \(Primary Legislation\) Regulations 2022 \(S.I. 2022/744\)](#), reg. 1(3), **Sch. 2 para. 5(2)(b)**

#### [<sup>F7</sup>33E Pupils' choices of local curriculum courses

- (1) A registered pupil of a maintained school has the right to elect to follow, during the period described in subsection (2) (“the entitlement period”), a course or courses of study included within the relevant local curriculum for that pupil. But this is subject to regulations made under subsection (3).
- (2) The entitlement period—
  - (a) begins on the first day of the academic year subsequent to the pupil having ceased to be of compulsory school age; and
  - (b) ends on the day on which he or she attains the age of nineteen.
- (3) Regulations may make provision as to the making of elections under this section, including in particular provision—
  - (a) specifying the maximum number of courses of study of a particular type that a pupil has the right to elect to follow;
  - (b) identifying points to be allotted to courses of study and preventing a pupil from having the right to elect to follow a combination of courses of study if their aggregate points exceed a specified amount;
  - (c) as to the period during which elections are to be made.
- (4) For the purposes of this section the “relevant local curriculum”, in relation to a pupil, means—
  - (a) where it has been determined under section 33D that a pupil’s “relevant school or institution” is a school—
    - (i) where the Welsh Ministers have formed under section 33A a single local curriculum for the area of the local authority by which the school is maintained, that local curriculum; or
    - (ii) where the Welsh Ministers have formed under section 33A more than one local curriculum for the area of the local authority by which the school is maintained, the local curriculum in respect of which the school is designated under section 33C(2);
  - (b) where it has been determined under section 33D that a pupil’s “relevant school or institution” is an institution—
    - (i) where the Welsh Ministers have formed under section 33A a single local curriculum for the local authority area in which the institution is situated, that local curriculum; or
    - (ii) where the Welsh Ministers have formed under section 33A more than one local curriculum for the local authority area in which the institution is situated,

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the local curriculum in respect of which the institution is designated under section 33C(2).]

**Textual Amendments**

**F7** S. 33E inserted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), ss. 26, 49(2) (as amended by S.I. 2010/1148, art. 3); [S.I. 2011/97](#), art. 2(1)(c)

**[<sup>F8</sup>33F Students' local curriculum entitlements**

- (1) During the entitlement period, a student who has made an election under section 33E(1) is entitled to follow the elected course of study unless—
  - (a) the governing body of the student's relevant school or institution [<sup>F9</sup>was not at the beginning of the entitlement period, or subsequently ceases to be,] responsible for providing (or making arrangements for the provision of) the majority of the student's education; or
  - (b) before the beginning of the entitlement period, the head teacher or principal of the student's relevant school or institution has decided under section 33G that the student is not entitled to follow the course of study.
- (2) Where a person is entitled to follow a course of study, it is for the head teacher or principal of the relevant school or institution to decide upon which date during the entitlement period the course is to begin.]

**Textual Amendments**

**F8** S. 33F inserted (14.2.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), ss. 27, 49(2); [S.I. 2011/97](#), art. 2(2)(d)

**F9** Words in s. 33F(1)(a) substituted (1.9.2011) by [Education \(Wales\) Measure 2009 \(nawm 5\)](#), ss. 22(2), 26(3); [S.I. 2011/1951](#), art. 2

**[<sup>F10</sup>33G Head teacher's or principal's decision as to entitlement**

- (1) If the head teacher or principal of a student's relevant school or institution is satisfied that any of the grounds in subsection (2) apply, the head teacher or principal may decide that the student is not entitled to follow a course of study which the student has elected to follow under section 33E.
- (2) The grounds referred to in subsection (1) are that—
  - (a) as a result of the student's level of educational attainment, the course of study is not suitable for him or her;
  - (b) as a result of other elections made by the student under section 33E(1), it is not reasonably practicable for him or her to follow the course of study;
  - (c) the amount of time likely to be spent travelling to the place at which the course is likely to be delivered would be detrimental to the student's education;
  - (d) disproportionate expenditure would be incurred if the student were to follow the course of study;
  - (e) the student's or another person's health or safety would be placed unacceptably at risk if the student were to follow the course of study.

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- (3) Regulations may make provision connected with the making of decisions under subsection (1), including in particular provision—
- (a) as to the time or date by which decisions are to be made;
  - (b) as to the procedure to be followed in connection with the making of decisions;
  - (c) for appeals against decisions to be made to the school or institution's governing body or another person specified in the regulations;
  - (d) as to the time or date by which appeals are to be determined;
  - (e) as to the procedure to be followed in connection with the determination of an appeal.
- (4) A head teacher or principal and governing body or other person charged with determining appeals under regulations made under subsection (3) must have regard to any guidance given from time to time by the Welsh Ministers as to the exercise of their functions under this section.
- (5) The Welsh Ministers may by order—
- (a) amend or omit any paragraph of subsection (2);
  - (b) add additional paragraphs to that subsection;
  - (c) amend or omit such additional paragraphs.]

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**Textual Amendments**

**F10** S. 33G inserted (19.1.2011 for specified purposes, 14.2.2011 in so far as not already in force) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), ss. 28, 49(2); S.I. 2011/97, art. 2(1)(d)(2)(e)

**[<sup>F11</sup>33H Delivery of local curriculum entitlements**

Where a student is entitled to follow a course of study under section 33F(1), the governing body of the student's relevant school or institution must ensure that during the entitlement period the course is made available to the student by or on behalf of the governing body.]

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**Textual Amendments**

**F11** S. 33H inserted (14.2.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), ss. 29, 49(2); S.I. 2011/97, art. 2(2)(f)

**[<sup>F12</sup>33I Head teacher's or principal's decision to remove entitlement**

- (1) If the head teacher or principal of a student's relevant school or institution is satisfied that any of the grounds in subsection (2) apply, the head teacher or principal may decide that a student is no longer entitled to follow a course of study that the student was entitled to follow under section 33F.
- (2) The grounds referred to in subsection (1) are that—
- (a) the student's or another person's health or safety would be placed unacceptably at risk if the pupil were to continue to follow the course of study;
  - (b) disproportionate expenditure would be incurred if the pupil were to continue to follow the course of study.

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- (3) Regulations may make provision connected with the making of decisions under subsection (1) including in particular provision—
- (a) as to the procedure to be followed in connection with the making of decisions;
  - (b) for appeals against decisions to be made to the school or institution's governing body or another person specified in the regulations;
  - (c) as to the effect of a decision pending determination of an appeal;
  - (d) as to the procedure to be followed in connection with the determination of an appeal.
- (4) A head teacher or principal and governing body or other person charged with determining appeals under regulations made under subsection (3) must have regard to any guidance given from time to time by the Welsh Ministers as to the exercise of their functions under this section.
- (5) The Welsh Ministers may by order—
- (a) amend or omit any paragraph of subsection (2);
  - (b) add additional paragraphs to that subsection;
  - (c) amend or omit such additional paragraphs.]

#### Textual Amendments

**F12** S. 33I inserted (19.1.2011 for specified purposes, 14.2.2011 in so far as not already in force) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\), ss. 30, 49\(2\)](#); S.I. 2011/97, art. 2(1)(e)(2)(g)

#### [<sup>F13</sup>33J Planning the local curriculum

- (1) The following persons must assist the Welsh Ministers in planning the local curriculum or curricula for a local authority's area—
- (a) the local authority;
  - (b) the governing body and head teacher of any maintained school maintained by the authority;
  - (c) the governing body and principal of an institution in the authority's area.
- (2) In subsection (1), “ planning the local curriculum or curricula ” means the process by which the Welsh Ministers decide under section 33A which courses of study to include in the local curriculum or curricula.
- [<sup>F14</sup>(3) The persons mentioned in paragraphs (a) to (c) of subsection (1) must have regard to any guidance given from time to time by the Welsh Ministers as to the exercise of their functions under that subsection.
- (4) The persons mentioned in paragraphs (a) and (b) of subsection (1) must comply with any direction given by the Welsh Ministers as to the exercise of their functions under that subsection.]]

#### Textual Amendments

**F13** S. 33J inserted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\), ss. 31 , 49\(2\)](#) (as amended by S.I. 2010/1148, art. 3); S.I. 2011/97, art. 2(1)(f)

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**F14** S. 33J(3)(4) substituted for s. 33J(3) (1.9.2014) by [Further and Higher Education \(Governance and Information\) \(Wales\) Act 2014 \(anaw 1\), ss. 6\(1\), 11\(2\); S.I. 2014/1706, art. 3\(f\)](#)

**[<sup>F15</sup>33K Delivery of local curriculum entitlements: joint-working**

- (1) The objective of this section is to maximise the availability of courses of study included in a local curriculum formed under section 33A.
- (2) In relation to the local curriculum or curricula for a local authority, the persons mentioned in subsection (4) must take all reasonable steps in order to achieve the objective of this section.
- (3) The duty under subsection (2) includes, but is not limited to, a duty to seek to enter into cooperation arrangements where, having considered whether it would further the objective of this section to do so, the persons mentioned in subsection (4) have concluded that entering into such arrangements would further that objective.
- (4) The persons are—
  - (a) the local authority;
  - (b) the governing body of a secondary school maintained by the authority; and
  - (c) the governing body of an institution within the further education sector which is situated within the area of the authority.
- (5) In this section and section 33L “co-operation arrangements” means—
  - (a) arrangements under which any person provides, on behalf of the governing body of a maintained school, a course of study included within the relevant local curriculum for the school;
  - (b) arrangements under which any person provides, on behalf of the governing body of an institution, a course of study included within the relevant local curriculum for the institution;
  - [ arrangements made in exercise of the powers of collaboration described in
  - <sup>F16</sup>(ba) section 4 of the Education (Wales) Measure 2011.]
  - <sup>F17</sup>(c) .....
  - <sup>F17</sup>(d) .....
- (6) For the purposes of this section, “relevant local curriculum” means—
  - (a) in relation to a maintained school—
    - (i) where the Welsh Ministers have formed a single local curriculum for the area of the local authority by which the school is maintained, that local curriculum; or
    - (ii) where the Welsh Ministers have formed more than one local curriculum for the area of the local authority by which the school is maintained, the local curriculum in respect of which the school is designated under section 33C(2);
  - (b) in relation to an institution—
    - (i) where the Welsh Ministers have formed a single local curriculum for the local authority area in which the institution is situated, that curriculum; or
    - (ii) where the Welsh Ministers have formed more than one local curriculum for the local authority area in which the institution is



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situated, the local curriculum in respect of which the institution is designated under section 33C(2).]

#### Textual Amendments

- F15** S. 33K inserted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), **ss. 32**, 49(2) (as amended by S.I. 2010/1148, art. 3); S.I. 2011/97, art. 2(1)(g)
- F16** S. 33K(5)(ba) inserted (16.11.2012) by [Education \(Wales\) Measure 2011 \(nawm 7\)](#), **ss. 9(2)(a)**, 33(2); S.I. 2012/2656, art. 2
- F17** S. 33K(5)(c)(d) omitted (16.11.2012) by virtue of [Education \(Wales\) Measure 2011 \(nawm 7\)](#), **ss. 9(2)(b)**, 33(2); S.I. 2012/2656, art. 2

#### [<sup>F18</sup>33L **Joint-working: guidance and directions**

- (1) A local authority, a governing body of a maintained school and the governing body of an institution must have regard to any guidance given from time to time by the Welsh Ministers as to the discharge of their duties under section 33K.
- (2) Guidance given under subsection (1) may relate to the contents of co- operation arrangements.
- (3) [<sup>F19</sup>A local authority and a governing body of a maintained school] must comply with any direction given by the Welsh Ministers as to the entering into of co-operation arrangements.
- (4) A direction under subsection (3)—
  - (a) may require persons to enter into specified arrangements;
  - (b) may specify the terms upon which arrangements are to be entered into (whether generally or in respect of specified arrangements);
  - (c) in the case of a direction to enter into specified arrangements with a person who is not mentioned in subsection (1), must not be given unless that person consents to the direction.]

#### Textual Amendments

- F18** S. 33L inserted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), **ss. 33**, 49(2) (as amended by S.I. 2010/1148, art. 3); S.I. 2011/97, art. 2(1)(h)
- F19** Words in s. 33L(3) substituted (1.9.2014) by [Further and Higher Education \(Governance and Information\) \(Wales\) Act 2014 \(anaw 1\)](#), **ss. 6(2)**, 11(2); S.I. 2014/1706, art. 3(f)

#### [<sup>F20</sup>33M **Power to amend learning domains**

The Welsh Ministers may by order—

- (a) amend or omit any paragraph of subsection (3) of section 33A;
- (b) add additional paragraphs to that subsection;
- (c) amend or omit such additional paragraphs.]



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### Textual Amendments

**F20** S. 33M inserted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), **ss. 34**, 49(2); S.I. 2011/97, **art. 2(1)(i)**

## [<sup>F21</sup>33N The local curriculum: interpretation

(1) In sections 33A to 33L—

[<sup>F22</sup>“academic year” means the period beginning on the fourth Monday of September in any year and ending on the first day of September in the following year;]

[<sup>F23</sup>“course of study” means a course of education or training that—

(a) leads to a form of qualification or set of forms of qualification approved under Part 4 of the Qualifications Wales Act 2015 or designated under Part 5 of that Act, or

(b) is designated by the Welsh Ministers under section 34(8) of that Act;]

“entitlement period” means the period described in section 33E(2);

[<sup>F24</sup>“fourth key stage” is to be construed in accordance with section 103 of the Education Act 2002;]

“institution” means an institution within the further education sector in Wales unless the institution provides education wholly or mainly for persons with [<sup>F25</sup>a learning difficulty (within the meaning of section 41)]; [<sup>F25</sup>additional learning needs (within the meaning given by the Additional Learning Needs and Education Tribunal (Wales) Act 2018);]

“local curriculum” and “local curricula” are to be construed in accordance with section 33A;

“local authority” means a local authority in Wales;

“maintained school” means a community, foundation or voluntary school maintained by a local authority in Wales provided that it is also a secondary school;

“principal”, in relation to an institution, means the principal or other head of the institution;

“regulations” means regulations made by the Welsh Ministers;

“relevant school or institution”, in relation to a person, is to be construed in accordance with section 33D;

“relevant student”, in relation to a maintained school or institution, means a student for whom the school or institution is his or her relevant school or institution;

“student” means a person who has made an election under section 33E.

(2) Unless the context otherwise requires, an expression used in sections 33A to 33N, 33P and 33Q and also the Education Act 1996 is to bear for the purposes of those sections the meaning given to it for the purposes of that Act.]

### Textual Amendments

**F21** S. 33N inserted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), **ss. 35**, 49(2); S.I. 2011/97, **art. 2(1)(k)**

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- F22** Words in s. 33N(1) substituted (1.9.2011) by [Education \(Wales\) Measure 2009 \(nawm 5\), ss. 22\(3\), 26\(3\); S.I. 2011/1951, art. 2](#)
- F23** Words in s. 33N(1) substituted (1.5.2016) by [The Qualifications Wales Act 2015 \(Consequential Amendments\) Regulations 2016 \(S.I. 2016/236\), regs. 1, 2](#)
- F24** Words in s. 33N(1) omitted (1.9.2022 for specified purposes, 1.9.2023 for specified purposes) by virtue of [The Curriculum and Assessment \(Wales\) Act 2021 \(Consequential Amendments\) \(Primary Legislation\) Regulations 2022 \(S.I. 2022/744\), reg. 1\(3\), Sch. 2 para. 5\(3\)](#)
- F25** Words in s. 33N substituted (1.9.2021 for specified purposes, 1.1.2022 for specified purposes, 1.9.2022 for specified purposes) by [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018 \(anaw 2\), s. 100\(3\), Sch. 1 para. 8\(2\); S.I. 2021/373, arts. 3, 4, 6, 7 \(as amended by S.I. 2021/938, art. 2\); S.I. 2021/1243, art. 3 \(with arts. 4-23\) \(as amended by S.I. 2021/1428, art. 2\); S.I. 2021/1244, art. 3 \(with arts. 4-21\) \(as amended by S.I. 2021/1428, art. 3\); S.I. 2021/1245, arts. 3, 4 \(with art. 1\(4\)\); S.I. 2022/891, art. 3 \(with arts. 4-25\); S.I. 2022/892, arts. 2, 3 \(with arts. 4-18\); S.I. 2022/893, art. 4; S.I. 2022/894, art. 3; S.I. 2022/895, arts. 3, 4; S.I. 2022/896, art. 3 \(with arts. 1\(7\), 4-22\); S.I. 2022/897, art. 3 \(with arts. 1\(8\), 4-21\); S.I. 2022/898, arts. 2, 3](#)

### [<sup>F26</sup>33O Local curriculum: directions

Any direction given by the Welsh Ministers under sections 33A(4), 33J(3) and 33L(3) may be varied or revoked by a further direction.]

#### Textual Amendments

- F26** S. 33O inserted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\), ss. 36, 49\(2\); S.I. 2011/97, art. 2\(1\)\(k\)](#)

### [<sup>F27</sup>33P Application of local curriculum provisions to students who are registered pupils of special schools or who have [<sup>F28</sup>learning difficulties][<sup>F28</sup>additional learning needs]

- (1) Regulations may apply the provisions of sections 33A to 33L, 33N and 33O and the provisions of any regulations made under section 46 of the Learning and Skills (Wales) Measure 2009 in respect of a person who falls, or is likely to fall, within subsection (3).
- (2) The regulations may apply those provisions with such modifications as appear to the Welsh Ministers to be necessary or expedient.
- (3) A person falls within this subsection if he or she—
  - (a) is above compulsory school age; and
  - (b) either—
    - (i) a registered pupil of a community <sup>F29</sup>... special school which is maintained by a local authority in Wales and is not established in a hospital; or
    - (ii) receiving the majority of his or her education at an institution which provides education wholly or mainly for persons with [<sup>F30</sup>a learning difficulty][<sup>F30</sup>additional learning needs] (within the meaning of section 41).]

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### Textual Amendments

- F27** S. 33P inserted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), **ss. 37**, 49(2) (as amended by S.I. 2010/1148, art. 3); S.I. 2011/97, art. 2(1)(l)
- F28** Words in [s. 33P heading](#) heading substituted (1.9.2021 for specified purposes, 1.1.2022 for specified purposes) by [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018 \(anaw 2\)](#), s. 100(3), **Sch. 1 para. 8(3)(a)**; S.I. 2021/373, arts. 3, 4, 6, 7 (as amended by S.I. 2021/938, art. 2); S.I. 2021/1243, art. 3 (with arts. 4-23) (as amended by S.I. 2021/1428, art. 2); S.I. 2021/1244, art. 3 (with arts. 4-21) (as amended by S.I. 2021/1428, art. 3); S.I. 2021/1245, arts. 3, 4 (with art. 1(4)); S.I. 2022/891, art. 3 (with arts. 4-25); S.I. 2022/892, arts. 2, 3 (with arts. 4-18); S.I. 2022/893, art. 4; S.I. 2022/894, art. 3; S.I. 2022/895, arts. 3, 4; S.I. 2022/896, art. 3 (with arts. 1(7), 4-22); S.I. 2022/897, art. 3 (with arts. 1(8), 4-21); S.I. 2022/898, arts. 2, 3
- F29** Words in s. 33P(3)(b)(i) omitted (1.10.2013) by virtue of [School Standards and Organisation \(Wales\) Act 2013 \(anaw 1\)](#), s. 100(4), **Sch. 5 para. 20(2)**; S.I. 2013/1800, art. 3(j)
- F30** Words in [s. 33P\(3\)\(b\)\(ii\)](#) substituted (1.9.2021 for specified purposes, 1.1.2022 for specified purposes) by [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018 \(anaw 2\)](#), s. 100(3), **Sch. 1 para. 8(3)(b)**; S.I. 2021/373, arts. 3, 4, 6, 7 (as amended by S.I. 2021/938, art. 2); S.I. 2021/1243, art. 3 (with arts. 4-23) (as amended by S.I. 2021/1428, art. 2); S.I. 2021/1244, art. 3 (with arts. 4-21) (as amended by S.I. 2021/1428, art. 3); S.I. 2021/1245, arts. 3, 4 (with art. 1(4)); S.I. 2022/891, art. 3 (with arts. 4-25); S.I. 2022/892, arts. 2, 3 (with arts. 4-18); S.I. 2022/893, art. 4; S.I. 2022/894, art. 3; S.I. 2022/895, arts. 3, 4; S.I. 2022/896, art. 3 (with arts. 1(7), 4-22); S.I. 2022/897, art. 3 (with arts. 1(8), 4-21); S.I. 2022/898, arts. 2, 3

### [<sup>F31</sup>33Q Application of local curriculum provisions to institutions within the higher education sector

- (1) Regulations may apply the provisions of sections 33A to 33L, 33N and 33O and the provisions of regulations made under section 46 of the Learning and Skills (Wales) Measure 2009 in relation to an institution, or institutions, within the higher education sector in Wales as those provisions apply in relation to an institution within the further education sector in Wales.
- (2) The regulations may also apply those provisions in relation to the principal or governing body of an institution within the higher education sector in Wales (or to persons with functions that are similar to those of a principal or governing body) as they apply in relation to the principal or governing body of an institution within the further education sector in Wales.
- (3) The regulations may apply those provisions with such modifications as appear to the Welsh Ministers to be necessary or expedient.]

### Textual Amendments

- F31** S. 33Q inserted (19.1.2011) by [Learning and Skills \(Wales\) Measure 2009 \(nawm 1\)](#), **ss. 38**, 49(2); S.I. 2011/97, art. 2(1)(m)

**Changes to legislation:**

Learning and Skills Act 2000, Cross Heading: The local curricula is up to date with all changes known to be in force on or before 14 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3A-3D inserted by [2006 c. 40 s. 75\(1\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 75 repealed (1.4.2010) without ever being in force by 2009 c. 22, Sch. 6 para. 59, Sch. 16 Pt. 2; S.I. 2010/303, art. 3, Sch. 2)
- s. 3A-3D repealed by [2009 c. 22 Sch. 16 Pt. 2](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of ss. 3A-3D never came into force and the inserting provision 2006 c. 40, s. 75 was repealed (1.4.2010) by 2009 c. 22, Sch. 6 para. 59, Sch. 16 Pt. 2; S.I. 2010/303, art. 3, Sch. 2)
- s. 3D(6) words substituted by [2007 c. 25 Sch. 1 para. 14](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of ss. 3A-3D never came into force and the inserting provision 2006 c. 40, s. 75 was repealed (1.4.2010) by 2009 c. 22, Sch. 6 para. 59, Sch. 16 Pt. 2; S.I. 2010/303, art. 3, Sch. 2)
- s. 18(9) added by 2009 c. 22 Sch. 2 para. 46(2B) (as modified) (cond.) by [S.I. 2010/1158 Sch. 4 para. 4\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 18 already repealed (1.4.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(4), Sch. 6 para. 35, Sch. 16 Pt. 2; S.I. 2010/303, art. 3, Sch. 2)
- s. 18C(9) added by 2009 c. 22 Sch. 2 para. 46(2C) (as modified) (cond.) by [S.I. 2010/1158 Sch. 4 para. 4\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 18C already repealed (1.4.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(4), Sch. 6 para. 36, 16 Pt. 2; S.I. 2010/303, art. 3, Sch. 2)
- s. 33D(3A) inserted by [2022 asc 1 Sch. 4 para. 14\(6\)](#)
- s. 33E(3A) inserted by [2022 asc 1 Sch. 4 para. 14\(7\)\(a\)](#)
- s. 33G(6) inserted by [2022 asc 1 Sch. 4 para. 14\(8\)](#)
- s. 33I(6) inserted by [2022 asc 1 Sch. 4 para. 14\(9\)](#)
- s. 33L(2A) inserted by [2022 asc 1 Sch. 4 para. 14\(12\)](#)
- s. 33M(1) s. 33M renumbered as s. 33M(1) by [2022 asc 1 Sch. 4 para. 14\(13\)](#)
- s. 33M(2) inserted by [2022 asc 1 Sch. 4 para. 14\(13\)](#)
- s. 33P(4) inserted by [2022 asc 1 Sch. 4 para. 14\(16\)\(b\)](#)
- s. 33Q(4) inserted by [2022 asc 1 Sch. 4 para. 14\(17\)\(b\)](#)
- s. 99(2A) inserted by [2008 c. 25 s. 160\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 160(2) repealed (1.4.2010) without ever being in force by 2009 c. 22, Sch. 16 Pt. 2; S.I. 2010/303, art. 3, Sch. 2)
- s. 99(2A) repealed by [2009 c. 22 Sch. 6 para. 45\(3\)Sch. 16 Pt. 2](#) (This amendment not applied to [legislation.gov.uk](#). S. 99(2A) was never inserted and the inserting provision 2008 c. 25, s. 160(2) was repealed (1.4.2010) without ever being in force by 2009 c. 22, Sch. 16 Pt. 2; S.I. 2010/303, art. 3, Sch. 2)
- s. 125(2)(aa) inserted by [2022 asc 1 Sch. 4 para. 14\(24\)](#)
- s. 138(3)(ca) inserted by [2022 asc 1 Sch. 4 para. 14\(26\)](#)