



Learning and Skills (Wales) Measure 2009

2009 nawm 1

PART 1

LOCAL CURRICULUM FOR PUPILS IN KEY STAGE 4

Supplemental

15 Power to amend learning domains

After section 116K of the Education Act 2002 (c. 32) insert—

“116L Power to amend learning domains

The Welsh Ministers may by order—

- (a) amend or omit any paragraph of subsection (3) of section 116A;
- (b) add additional paragraphs to that subsection;
- (c) amend or omit such additional paragraphs.”

Annotations:

Commencement Information

II S. 15 in force at 1.1.2010 by [S.I. 2009/3174](#), [art. 2\(2\)\(k\)](#)

16 Application of local curriculum provisions to children who are not registered pupils

After section 116L of the Education Act 2002 (c. 32) insert—

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“116M Application of local curriculum provisions to children who are not registered pupils

- (1) Regulations may apply the provisions of sections 116A to 116K and the provisions of any regulations made under section 46 of the Learning and Skills (Wales) Measure 2009 in respect of a person falling 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 of compulsory school age;
 - (b) is not a registered pupil of a maintained school; and
 - (c) receives all, or the majority of, his or her education at, or under arrangements made by the governing body of, an institution within the further education sector in Wales.”

Annotations:

Commencement Information

I2 S. 16 in force at 1.1.2010 by [S.I. 2009/3174](#), [art. 2\(2\)\(l\)](#)

17 Application of local curriculum provisions to children who are registered pupils of special schools

After section 116M of the Education Act 2002 (c. 32) insert—

“116N Application of local curriculum provisions to children who are registered pupils of special schools

- (1) Regulations may apply the provisions of sections 116A to 116K and the provisions of any regulations made under section 46 of the Learning and Skills (Wales) Measure 2009 in respect of a person falling 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 of compulsory school age; and
 - (b) is a registered pupil of a community or foundation special school which is maintained by a [^{F1}local authority] in Wales and is not established in a hospital.”

Annotations:

Amendments (Textual)

F1 Words in Measure substituted (5.5.2010) by [Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) \(Wales\) Order 2010 \(S.I. 2010/1148\)](#), arts. 1, [3\(2\)](#)

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Commencement Information

I3 S. 17 in force at 1.1.2010 by [S.I. 2009/3174](#), [art. 2\(2\)\(m\)](#)

18 Local curriculum: directions

After section 116N of the Education Act 2002 (c. 32) insert—

“116O Local curriculum: directions

Any direction given by the Welsh Ministers under sections 116A(6), 116I(3) and 116K(3) may be varied or revoked by a further direction.”

Annotations:

Commencement Information

I4 S. 18 in force at 7.12.2009 by [S.I. 2009/3174](#), [art. 2\(1\)\(i\)](#)

19 Powers to alter or remove requirements for fourth key stage

- (1) Section 107 of the Education Act 2002 (c. 32) is amended in accordance with this section.
- (2) Insert “(1)” at the beginning of the section and replace “National Assembly for Wales” with “Welsh Ministers”.
- (3) At the end of the section insert—

“(2) Such an order may make such amendments of this Act as appear to the Welsh Ministers to be necessary or expedient in connection with the provision made under subsection (1).”

Annotations:

Commencement Information

I5 S. 19 in force at 1.1.2010 by [S.I. 2009/3174](#), [art. 2\(2\)\(n\)](#)

20 Regulations and orders: procedure

- (1) The Education Act 2002 (c. 32) is amended in accordance with subsections (2) and (3).
- (2) In section 210(6A)—
 - (a) after “regulations” insert “ or an order ”;
 - (b) after “section 32(9)” insert “ or Part 7 ”; and
 - (c) at the end insert— “ unless the instrument contains an order mentioned in subsection (6AB). ”
- (3) After section 210(6A) insert—

“(6AB) No order shall be made by the Welsh Ministers under section 101(3), 103(4) (b), 105(6), 107, 116F(5), 116H(5) or 116L unless a draft of the statutory

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instrument containing the order has been laid before, and approved by a resolution of, the National Assembly for Wales.”

Annotations:

Commencement Information

I6 S. 20 in force at 7.12.2009 by [S.I. 2009/3174](#), [art. 2\(1\)\(j\)](#)

Changes to legislation:

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

- Measure text amended by [S.I. 2010/1148 art. 3\(2\)](#)