



# Learning and Skills (Wales) Measure 2009

## 2009 nawm 1

### PART 2

#### LOCAL CURRICULUM FOR STUDENTS AGED 16 TO 18

##### *Entitlements*

#### **26 Pupils' choices of local curriculum courses**

After section 33D of the Learning and Skills Act 2000 (c. 21) insert—

##### **“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—

**Changes to legislation:** Learning and Skills (Wales) Measure 2009, Section 26 is up to date with all changes known to be in force on or before 25 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. (See end of Document for details) View outstanding changes

- (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 [<sup>F1</sup>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 [<sup>F1</sup>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 [<sup>F1</sup>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 [<sup>F1</sup>local authority] area in which the institution is situated, the local curriculum in respect of which the institution is designated under section 33C(2).”

#### Textual Amendments

**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)**

#### Commencement Information

**I1** [S. 26](#) in force at 19.1.2011 by [S.I. 2011/97](#), **art. 2**

**Changes to legislation:**

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

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

- s. 43(7) inserted by [2022 asc 1 Sch. 4 para. 25\(3\)](#)