



Learning and Skills (Wales) Measure 2009

2009 nawm 1

PART 4

MISCELLANEOUS AND SUPPLEMENTAL

46 Regulations in connection with the operation of the local curriculum

- (1) If the Welsh Ministers are of the opinion mentioned in subsection (2), they may by regulations make provision, for the specified purposes of an enactment, as to the circumstances in which—
- (a) a person is, or is not, to be taken to be—
 - (i) a person for whom education is being provided at a school;
 - (ii) a pupil or registered pupil of a school or a registered parent of a registered pupil;
 - (iii) at a school;
 - (iv) attending, attending at or in attendance at a school;
 - (v) receiving education at a school;
 - (vi) studying, or intending to study at, a school;
 - (vii) a person who is admitted to or has been refused admission to a school;
 - (viii) applying for admission to a school, offering to admit a person to a school, accepting or refusing to accept an application for admission to a school or determining admissions to a school;
 - (ix) a person who has made a decision as to the school at which education is to be provided for a child;
 - (x) a person in respect of whom charges may be made in respect of admission to a maintained school.
 - (b) arrangements for the provision of education on behalf of a school are, or are not, to be taken to be admission arrangements;
 - (c) arrangements for enabling preferences to be expressed as to the school at which the person expressing the preference wishes education to be provided for himself or herself or another person do, or do not, apply;
 - (d) a person is, or is not, to be taken to be—

Changes to legislation: Learning and Skills (Wales) Measure 2009, Section 46 is up to date with all changes known to be in force on or before 20 February 2018. 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)

- (i) receiving education or training at an institution within the further education sector;
 - (ii) attending, or in attendance at, such an institution;
 - (iii) a student of, or at, such an institution;
 - (iv) studying, or intending to study, at such an institution;
 - (v) applying for admission to such an institution, offering to admit a person to such an institution, accepting or refusing to accept an application for admission to such an institution, selecting a person for admission to such an institution or determining admissions to such an institution;
 - (vi) in relation to such an institution, a disabled person.
- (2) The opinion is that the provision is necessary, desirable or expedient in connection with the operation of the amendments made to the Education Act 2002 (c. 32) and the Learning and Skills Act 2000 (c. 21) by Parts 1 and 2 of this Measure.
- (3) The purposes that may be specified under subsection (1) include those of making regulations or an order under an enactment.
- (4) In this section “enactment” includes an enactment—
- (a) contained in this Measure; or
 - (b) contained in an Act of Parliament or Measure of the National Assembly for Wales passed after the passing of this Measure.

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\(2\)](#)