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STATUTORY INSTRUMENTS

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**1994 No. 2206**

**EDUCATION, ENGLAND AND WALES**

**The Education (National Curriculum)  
(Exceptions) (Wales) Regulations 1994**

*Made* - - - - 22nd August 1994  
*Laid before Parliament* 26th August 1994  
*Coming into force* - - 1st September 1994

Having made such arrangements for consultation on his proposals pursuant to section 242(1) of the Education Act 1993(1) as he considered appropriate, the Secretary of State for Wales, in exercise of the powers conferred by sections 17 and 232(5) and (6) of the Education Reform Act 1988(2), hereby makes the following Regulations:

**Citation, commencement, application and interpretation**

1.—(1) These Regulations may be cited as the Education (National Curriculum) (Exceptions) (Wales) Regulations 1994 and shall come into force on 1st September 1994.

(2) These Regulations apply only in relation to pupils at maintained schools and grant-maintained special schools (other than those established in hospitals) in Wales.

(3) In these Regulations—

“the Act” means the Education Reform Act 1988;

“class” in relation to a particular pupil and a particular subject means any teaching group in which the pupil is regularly taught that subject;

“foundation subject” has the meaning given to that expression by section 25(1) of the Act;

“GCSE” means General Certificate of Secondary Education;

“maintained school” has the meaning given to that expression by section 25(1) of the Act; and

a reference to the provisions of the National Curriculum in a foundation subject is a reference to such attainment targets, programmes of study and assessment arrangements as are specified for the time being for the subject under section 4(2) of the Act.

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(1) 1993 c. 35.  
(2) 1988 c. 40.

### **Exceptions from the provisions of the National Curriculum**

2.—(1) Subject to paragraph (2) below, the provisions of the National Curriculum in a foundation subject other than physical education shall not apply in relation to a pupil if—

- (a) he has taken an examination for the GCSE in a subject specified opposite the foundation subject in the Schedule to these Regulations or, in the case of Welsh, for the National Curriculum Certificate in Welsh Second Language; and
- (b) all or the majority of the pupils in his class took the examination at the same time as the pupil.

(2) Where the assessment procedures for a qualification mentioned in paragraph (1) above do not cover all the attainment targets specified under section 4(2)(a) of the Act for the foundation subject, only such part of the National Curriculum as relates to the attainment targets covered by those procedures shall be disapplied by virtue of paragraph (1) above.

(3) Without prejudice to paragraph (1) above, the provisions of the National Curriculum in science shall not apply in relation to a pupil if—

- (a) he has undergone the assessment procedures required by one examining body for the GCSE in biology, chemistry and physics;
- (b) he took the examinations for the GCSE in those subjects during one school term; and
- (c) all or the majority of the pupils in his class took the examinations at the same time as the pupil.

SCHEDULE

Regulation 2(1)

Foundation subject	GCSE Subject
English	English
Mathematics	Mathematics
Science	Science: Double Award Science: Single Award
Welsh	Welsh Welsh Second Language Programme A Welsh Second Language and Art (Combined) Welsh Second Language and Business Studies (Combined) Welsh Second Language and Drama (Combined) Welsh Second Language and Information Technology (Combined) Welsh Second Language and Religious Studies (Combined)

Signed by authority of the Secretary of State for Wales

22nd August 1994

*Rod Richards*  
Parliamentary Under-Secretary of State Welsh  
Office

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations specify cases in which the National Curriculum is not to apply to pupils at maintained schools (including grant-maintained special schools which are not established in hospitals) in Wales. They replace the Education (National Curriculum) (Exceptions) Regulations 1992 (S.I. 1992/155), the Education (National Curriculum) (Exceptions in History and Geography at Key Stage 4) Regulations 1992 (S.I. 1992/156) and the Education (National Curriculum) (Exceptions from Science at Key Stage 4) Regulations 1992 (S.I. 1992/157) all of which regulations are revoked by the Education (National Curriculum) (Exceptions) Regulations 1994 (S.I. 1994/2112). The pupils mainly concerned are likely to be those in the fourth key stage (that is, the last two years of compulsory schooling).

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

The National Curriculum in a particular subject does not apply to a pupil where he and all or the majority of his class have taken an examination for the GCSE in a related subject or, in the case of Welsh, for the National Curriculum Certificate in Welsh Second Language (*regulation 2(1) and the Schedule*). Exemption is limited to those attainment targets covered by the qualification (*regulation 2(2)*).

Pupils are additionally exempted from the National Curriculum in science if they and all or the majority of their class have undergone assessment procedures laid down by a single examining body for the GCSE in the three subjects biology, chemistry and physics and have taken the examinations in those subjects during one school term (*regulation 2(3)*).