
WELSH STATUTORY INSTRUMENTS

2004 No. 1576

**The School Organisation Proposals by the National Council
for Education and Training for Wales Regulations 2004**

PART 1

Preliminary

Name, commencement and application

1.—(1) These Regulations are called the School Organisation Proposals by the National Council for Education and Training for Wales Regulations 2004 and come into force on 1st August 2004.

(2) These Regulations apply to Wales.

Interpretation

2.—(1) In these Regulations —

“the 1998 Act” (“*Deddf 1998*”) means the School Standards and Framework Act 1998;

“the 2000 Act” (“*Deddf 2000*”) means the Learning and Skills Act 2000;

“16 to 19 institution” (“*sefydliad 16 i 19 oed*”) means a maintained school which —

- (a) provides full-time education suitable to the requirements of pupils over compulsory school age, and
- (b) does not provide full-time education suitable to the requirements of pupils of compulsory school age;

“the Council” (“*y Cyngor*”) means the National Council for Education and Training for Wales;

“further education college” (“*coleg addysg bellach*”) means an institution within the further education sector (within the meaning of section 91(3) of the Further and Higher Education Act 1992)(1);

“mainstream school” (“*ysgol brif ffrwd*”) means a maintained school other than a special school;

“maintained school” (“*ysgol a gynhelir*”) has the same meaning as in the 1998 Act;

“the National Assembly” (“*y Cynulliad Cenedlaethol*”) means the National Assembly for Wales;

“proposals to discontinue a sixth form” (“*cynigion i gau chweched dosbarth*”) means proposals such as are mentioned in paragraph 20(1) of Schedule 7;

“relevant age group” (“*grŵp oedran perthnasol*”) has the meaning given to it by section 142(1) of the 1998 Act;

“relevant sixth form age group” (“*grŵp chweched dosbarth perthnasol*”) means an age group in which pupils are normally admitted (or, as the case may be, will normally be admitted) to the school for sixth form education;

“sixth form education” (“*addysg chweched dosbarth*”) means full-time education at a school suitable to the requirements of pupils over compulsory school age but below the age of 19;

“special school” (“*ysgol arbennig*”) means a community or foundation special school;

“statement of special educational needs” (“*datganiad o achos anghenion addysgol arbennig*”) means a statement of special educational needs maintained under Part IV of the Education Act 1996⁽²⁾;

“the upper age limit” (“*terfyn uchaf oedran*”) of a school means the highest age of pupils for whom education is normally provided at the school.

(2) Any reference to section 113A, Schedule 7 or Schedule 7A is a reference to section 113A of, or Schedule 7 or Schedule 7A to, the 2000 Act as appropriate.

(3) For the purposes of these Regulations the capacity of a school is to be determined in accordance with Schedule 1 to the Education (School Organisation Proposals) (Wales) Regulations 1999⁽³⁾.

(4) For the purposes of these Regulations the date of publication of proposals is —

(a) the date on which the requirements of regulation 5 or 12 (as the case may be) are satisfied; or

(b) where different requirements are satisfied on different dates, the last of such dates.

(5) Part 1 of Schedule 3 applies for the purpose of the interpretation of the terms contained in Parts 2 to 6 of that Schedule.

⁽²⁾ 1996 c. 56.

⁽³⁾ S.I.1999/1671.