
WELSH STATUTORY INSTRUMENTS

2005 No. 2914

The Government of Maintained
Schools (Wales) Regulations 2005

PART 7

Appointment, functions and removal of officers

Election of the chair and vice-chair

39.—(1) Subject to paragraph (2) and to section 18 of the 1998 Act⁽¹⁾ (*Power of National Assembly for Wales to appoint additional governors*), the governing body must elect a chair and a vice-chair from among their number annually.

(2) A governor who is paid to work at the school or who is a pupil at the school is not eligible to be chair or vice-chair of the governing body of that school.

(3) Subject to paragraphs (5) and (6), the chair or vice-chair is to hold office until his or her successor has been elected in accordance with paragraph (1).

(4) The chair or vice-chair may at any time resign his or her office by giving notice in writing to the clerk to the governing body.

(5) The chair or vice-chair ceases to hold office—

- (a) when he or she ceases to be a member of the governing body;
- (b) if he or she is paid to work at the school in question;
- (c) if he or she is removed from office in accordance with regulation 41 or replaced by a chair nominated by the National Assembly for Wales pursuant to section 18 of the 1998 Act; or
- (d) in the case of the vice-chair, he or she is elected in accordance with paragraph (6) to fill a vacancy in the office of chair.

(6) Where a vacancy arises in the office of chair or vice-chair, the governing body must at their next meeting elect one of their number to fill that vacancy, subject to paragraph (2) and to section 18 of the 1998 Act.

(7) Any election of the chair or vice-chair which is contested must be held by secret ballot.

(8) Where the chair is absent from any meeting or there is at the time a vacancy in the office of chair, the vice-chair is to act as chair for all purposes.

(9) Where in the circumstances referred to in paragraph (8) the vice-chair is absent from the meeting or there is at the time a vacancy in the office of vice-chair, the governing body must elect one of their number to act as chair for the purposes of that meeting, subject to paragraph (2).

(10) The clerk to the governing body is to act as chair during that part of any meeting at which the chair is to be elected.

(1) Amended by section 56 of the 2002 Act.

Status: *This is the original version (as it was originally made).*
