
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision in relation to the determination of the initial admission arrangements for admission to new schools. They replace and revoke the New School (Admissions) (Wales) Regulations 1999.

Regulation 4 specifies who is to be the admission authority for a new school in relation to its initial year, that is to say the body responsible for the determination of the arrangements for admission of pupils to the school for the school year in which it will first admit pupils. The admission authority for a community or voluntary controlled school, will be the local education authority or the temporary governing body where the local education authority have delegated this responsibility to them. The admission authority for a foundation or voluntary aided school will be the temporary governing body (or, where appropriate, the local education authority or promoters).

Regulation 5 requires an admission authority for a new school to determine the initial admission arrangements not less than six months before the school opening date. An admission authority is under a duty to consult on the initial admission arrangements before they are so determined.

Regulation 6 requires an admission authority to determine, as part of the initial admission arrangements, an admission number for each relevant age group, that is to say the number of pupils in any relevant age group which it intends to admit to the school. Where the initial admission arrangements have been determined before the relevant statutory proposals have been approved, the admission number will be that stated in the statutory proposal notice. This will be deemed to be a provisional admission number until the proposals have been approved.

Regulation 7 makes provision, after the initial admission arrangements have been determined, for admission authorities and governing bodies of community and voluntary controlled schools who were required to be consulted under regulation 5 to refer objections to the National Assembly.

Regulation 8 provides for the initial admission arrangements to be varied either in view of a major change of circumstance, or where a variation is necessary to implement statutory proposals published under section 28 of the 1998 Act. Where a proposed variation is because of a major change of circumstance, it must be referred to the National Assembly.

Regulation 9 and the Schedule provide for certain provisions of the Education Acts and the Education (School Information) (Wales) Regulations 1999, to apply with modifications to new schools.