
WELSH STATUTORY INSTRUMENTS

2006 No. 177 (W.28)

EDUCATION, WALES

The Education (Variation of Admission Arrangements) (Wales) Regulations 2006

Made - - - - 31 January 2006

Coming into force - - 1 February 2006

In exercise of the powers conferred upon The Secretary of State by sections 89(8)(e) and (f), and 138(7) of the School Standards and Framework Act 1998⁽¹⁾ now vested in the National Assembly for Wales⁽²⁾, the National Assembly for Wales makes the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is The Education (Variation of Admission Arrangements) (Wales) Regulations 2006 and they come into force on 1 February 2006.

(2) These Regulations apply in relation to Wales.

Interpretation

2.—(1) In these Regulations—

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

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

“admission number” (“*nifer a dderbynnir*”) means the number of pupils in any relevant age group intended to be admitted in any school year as determined or, where the context requires, proposed to be determined, by an admission authority in accordance with section 89A(1);

“statutory proposals” (“*cynigion statudol*”) means proposals published under section 28.

(2) Any reference in these Regulations to a numbered section or Schedule is a reference to that section of, or Schedule to, the Act.

Variation of admission arrangements

3.—(1) This regulation prescribes for the purposes of section 89(8)(e) the circumstances in which an admission authority, having determined the admission arrangements which are to apply for a

(1) 1998 c. 31. For the meaning of “prescribed” and “regulations” see section 142 of the 1998 Act.

(2) See the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).

particular school year, may (in addition to the circumstances set out in section 89(5)) vary those arrangements.

(2) An admission authority may vary an admission number where such variation is necessary to implement statutory proposals where—

- (a) the proposals have been approved under paragraph 8 of Schedule 6; or
- (b) the body or promoters who published the proposals have determined under paragraph 9 of that Schedule to implement the proposals.

(3) The requirements of section 89(5) to (7) (proposed variation of admission arrangements in view of a major change of circumstances) do not apply to a proposed variation under paragraph (2).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(3).

31 January 2006

D. Elis-Thomas
The Presiding Officer of the National Assembly

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the circumstances in which an admission authority may (in addition to the circumstances set out in section 89(5) of the School Standards and Framework Act 1998 (the 1998 Act)) vary the admission arrangements they have determined for a particular school year.

Regulation 3 provides that an admission authority may, without further procedures or approval from the National Assembly, vary the admission number they have determined for any relevant age group where such a variation is necessary to implement approved statutory proposals published under section 28 of the 1998 Act, and a variation of the admission number is necessary to implement those proposals. In those circumstances, the procedures for changing admission arrangements in section 89(5) to (7) of the 1998 Act do not apply.