
WELSH STATUTORY INSTRUMENTS

2013 No. 1140 (W.120)

EDUCATION, WALES

The School Admissions (Variation of Admission Arrangements) (Wales) Regulations 2013

<i>Made</i>	- - - -	<i>14 May 2013</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>17 May 2013</i>
<i>Coming into force</i>	- -	<i>8 July 2013</i>

The Welsh Ministers in exercise of their powers in sections 89(8)(e) and 138A of the School Standards and Framework Act 1998(1) make the following Regulations:

Title, commencement, application and revocation

1.—(1) The title of these Regulations is the School Admissions (Variation of Admission Arrangements) (Wales) Regulations 2013.

(2) These Regulations come into force on 8 July 2013.

(3) These Regulations apply in relation to Wales.

(4) The Education (Variation of Admission Arrangements) (Wales) Regulations 2006(2) are revoked.

Interpretation

2.—(1) In these Regulations—

"the SSFA 1998" ("*DSFfY 1998*") means the School Standards and Framework Act 1998;

"the SSOA 2013" ("*DSThY 2013*") means the School Standards and Organisation (Wales) Act 2013(3);

"approved proposals" ("*cynigion a gymeradwywyd*") means—

(a) until such time as section 99 of, and Schedule 5 to the SSOA 2013 (in so far as they repeal paragraphs 8 and 9 of Schedule 6 to the SSFA 1998) have been commenced—

(1) 1998 c.31. Section 90ZA provides that in sections 89 to 90 of the SSFA 1998 "prescribed" means prescribed by the Welsh Ministers and 'regulations' means regulations made by the Welsh Ministers. This section was inserted by paragraph 63 of Schedule 1 to the [Education and Skills Act 2008](#) (c. 25). Section 138A was inserted by paragraph 71 of Schedule 1 to the [Education and Skills Act 2008](#).

(2) [2006/177 \(W.28\)](#).

(3) [2013 anaw 1](#).

- (i) proposals published under sections 28 or 29 of the SSFA 1998 that have been approved under paragraph 8 of Schedule 6 to that Act, or
 - (ii) proposals published under sections 28 or 29 of the SSFA 1998 that a body or promoter who published them has determined should be implemented under paragraph 9 of Schedule 6 to that Act; and
- (b) upon the commencement of section 99 of, and Schedule 5 to the SSOA 2013 (in so far as they repeal paragraphs 8 and 9 of Schedule 6 to the SSFA 1998) have been commenced—
- (i) proposals published under section 48 of the SSOA 2013 that have been approved under section 50 or 51 of the SSOA 2013, or
 - (ii) proposals published under section 49 of the SSOA 2013 that a proposer who published them has determined should be implemented under section 53 of the SSOA 2013.

"School Admissions Code" ("*Cod Derbyniadau Ysgol*") means any code for school admissions issued under section 84 of the SSFA 1998

Variation of admission arrangements

3.—(1) This regulation prescribes for the purposes of section 89(8)(e) of the SSFA 1998 the circumstances in which an admission authority, having determined the admission arrangements⁽⁴⁾ which are to apply for a particular school year, may (in addition to those circumstances set out in section 89(5)) vary those arrangements.

(2) An admission authority may vary the admission arrangements to the extent that such variation is necessary to give effect to any of the following—

- (a) the School Admissions Code;
- (b) the implementation of approved proposals; or
- (c) a correction to any omission or misprint in the admission arrangements.

14 May 2013

Leighton Andrews
Minister for Education and Skills, one of the
Welsh Ministers

(4) See section 88(2) of the SSFA 1998 for a definition of admission arrangements.

EXPLANATORY NOTE

(This note is not part of the Order)

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

Regulation 3 provides that an admission authority may, without further procedures or approval from the Welsh Ministers, vary the admission arrangements that they have determined for any relevant age group where such a variation is necessary to give effect to the School Admissions Code; the implementation of approved proposals; or a correction to any omission or misprint in the admission arrangements.

In those circumstances, the procedures for changing admission arrangements in section 89(5) to (7) of the SSFA 1998 do not apply.

No regulatory impact assessment has been carried out for this instrument as it has no significant impact on the costs of business, charities, voluntary bodies or the public sector.