



# School Standards and Organisation (Wales) Act 2013

2013 anaw 1

## PART 3

### SCHOOL ORGANISATION

#### CHAPTER 1

##### SCHOOL ORGANISATION CODE

#### **38 School Organisation Code**

- (1) The Welsh Ministers must issue, and may from time to time revise, a code on school organisation (“the Code”).
- (2) The Code is to contain provision about the exercise of the functions of the following persons under this Part—
  - (a) the Welsh Ministers;
  - (b) local authorities;
  - (c) governing bodies of maintained schools;
  - (d) other persons in connection with proposals made (or to be made) by them under this Part.
- (3) The Code may impose requirements, and may include guidelines setting out aims, objectives and other matters.
- (4) The persons referred to in subsection (2) must, when exercising functions under this Part—
  - (a) act in accordance with any relevant requirements contained in the Code, and
  - (b) have regard to any relevant guidelines contained in it.

**Changes to legislation:** School Standards and Organisation (Wales) Act 2013, Section 38 is up to date with all changes known to be in force on or before 14 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (5) The duty imposed by subsection (4) also applies to a person exercising a function for the purpose of the discharge of functions under this Part by—
- (a) the Welsh Ministers,
  - (b) a local authority,
  - (c) the governing body of a maintained school, or
  - (d) other persons in connection with proposals made (or to be made) by them under this Part.
- (6) The Welsh Ministers must publish the Code for the time being in force on their website.
- (7) The Welsh Ministers may make separate provision (by means of separate codes) in relation to different functions under this Part of the persons mentioned in subsection (2).
- (8) References in this section to “the Code” or to functions under this Part have effect, in relation to a separate code, as references to that code or to functions under this Part to which it relates.

#### Commencement Information

- I1** S. 38 in force at 26.4.2013 for specified purposes by S.I. 2013/1000, art. 2(a)
- I2** S. 38 in force at 19.7.2013 in so far as not already in force by S.I. 2013/1800, art. 2

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 38(5)(c) word omitted by [2022 asc 1 Sch. 4 para. 29\(3\)\(b\)](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 3 Ch. 3A inserted by [2022 asc 1 Sch. 4 para. 29\(7\)](#)
- s. 1(9A) inserted by [2022 asc 1 Sch. 4 para. 29\(2\)\(a\)](#)
- s. 38(2)(ca) inserted by [2022 asc 1 Sch. 4 para. 29\(3\)\(a\)](#)
- s. 38(5)(ca) inserted by [2022 asc 1 Sch. 4 para. 29\(3\)\(b\)](#)
- s. 39(1)(ca) inserted by [2022 asc 1 Sch. 4 para. 29\(4\)](#)
- Sch. 2 para. 19(2)(c)(i) word inserted by [2022 asc 1 Sch. 4 para. 29\(12\)\(b\)](#)