



School Standards and Organisation (Wales) Act 2013

2013 anaw 1

PART 3

SCHOOL ORGANISATION

CHAPTER 5

PROPOSALS FOR RESTRUCTURING SIXTH FORM EDUCATION

Implementation of proposals for restructuring sixth form education

74 Form of implementation

- (1) This section applies to proposals which have been adopted by the Welsh Ministers under section 73.
- (2) The proposals must (subject to the following provisions of this section) be implemented in the form in which they were adopted.
- (3) At the request of a specified body, the Welsh Ministers—
 - (a) may modify proposals adopted under section 73 after consulting the specified bodies, and
 - (b) where the adoption of proposals was expressed to take effect subject to the occurrence of a specified event, may specify a later date by which that event must occur.
- (4) The Welsh Ministers may determine that subsection (2) does not apply to the proposals if they are satisfied, after consulting the specified bodies—
 - (a) that implementation of the proposals would be unreasonably difficult, or
 - (b) that circumstances have so altered since the proposals were adopted that implementation of the proposals would be inappropriate.

Changes to legislation: *School Standards and Organisation (Wales) Act 2013, Section 74 is up to date with all changes known to be in force on or before 03 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) Each of the following is a “specified body” for the purposes of subsections (3) and (4)—
- (a) the governing body of the school to which the proposals relate;
 - (b) in the case of a proposal to establish a new school, the temporary governing body constituted in accordance with arrangements made under section 34 of the Education Act 2002;
 - (c) the local authority that maintains, or that it is proposed will maintain, the school to which the proposals relate;
 - (d) where the school to which the proposals relate is a community special school each local authority which maintains [^{F1}a statement of special educational needs under Part 4 of the Education Act 1996][^{F1}an individual development plan under Part 2 of the Additional Learning Needs and Education Tribunal (Wales) Act 2018] in respect of a registered pupil at the school.

Textual Amendments

- F1** Words in s. 74(5)(d) substituted (1.9.2021 for specified purposes, 1.1.2022 for specified purposes, 1.9.2022 for specified purposes) by [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018 \(anaw 2\)](#), s. 100(3), **Sch. 1 para. 22(4)**; S.I. 2021/373, arts. 3, 4, 6, 7 (as amended by S.I. 2021/938, art. 2); S.I. 2021/1243, art. 3 (with arts. 4-23) (as amended by S.I. 2021/1428, art. 2); S.I. 2021/1244, art. 3 (with arts. 4-21) (as amended by S.I. 2021/1428, art. 3); S.I. 2021/1245, arts. 3, 4 (with art. 1(4)); S.I. 2022/891, art. 3 (with arts. 4-25); S.I. 2022/892, arts. 2, 3 (with arts. 4-18); S.I. 2022/893, art. 4; S.I. 2022/894, art. 3; S.I. 2022/895, arts. 3, 4; S.I. 2022/896, art. 3 (with arts. 1(7), 4-22); S.I. 2022/897, art. 3 (with arts. 1(8), 4-21); S.I. 2022/898, arts. 2, 3

Commencement Information

- I1** S. 74 in force at 1.10.2013 by S.I. 2013/1800, **art. 3(d)**

Changes to legislation:

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[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 71-76 omitted by [2022 asc 1 Sch. 4 para. 29\(8\)](#)

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\(12\)\(b\)](#)