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STATUTORY INSTRUMENTS

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**2017 No. 64**

**EDUCATION, ENGLAND**

**The Education (National Curriculum) (Key Stage 2 Assessment Arrangements) (England) (Amendment) Order 2017**

*Made - - - - 26th January 2017*

*Coming into force in accordance with article 1*

The Secretary of State for Education has consulted the Office of Qualifications and Examinations Regulation in accordance with section 87(6A)(a) of the Education Act 2002<sup>(1)</sup>, and has also consulted with such other persons as she considers appropriate in accordance with section 87(6A)(b) of that Act.

The Secretary of State for Education makes the following Order in exercise of the powers conferred by sections 87(3)(c) and 210(7) of that Act.

**Citation and commencement**

1. This Order may be cited as the Education (National Curriculum) (Key Stage 2 Assessment Arrangements) (England) (Amendment) Order 2017 and comes into force on the day after the day on which it is made.

**Amendments to the Education (National Curriculum) (Key Stage 2 Assessment Arrangements) (England) Order 2003**

2. Article 7 of the Education (National Curriculum) (Key Stage 2 Assessment Arrangements) (England) Order 2003<sup>(2)</sup> is amended as follows—

- (a) in paragraph (3) for the wording “that record of the results is inaccurate or is otherwise incorrect” substitute “the accuracy or correctness of that record of results is in doubt”;
- (b) for paragraph (6)(b), substitute—
  - “(b) the Secretary of State determines that the accuracy or correctness of the record of the result is in doubt.”.

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(1) 2002 c.32. Section 87(6A) was inserted by section 159 of the Apprenticeships, Skills, Children and Learning Act 2009 (c.22).  
(2) S.I. 2003/1038, article 7 of which was amended by S.I. 2010/290, S.I. 2011/2392 and S.I. 2013/1513.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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26th January 2017

*Nick Gibb*  
Minister of State  
Department for Education

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends article 7 of the Education (National Curriculum) (Key Stage 2 Assessment Arrangements) (England) Order 2003 (“the 2003 Order”) ([S.I. 2003/1038](#)) and comes into force on the day after the day on which it is made. Article 7 of the 2003 Order provides for the investigation by the Secretary of State of the accuracy or correctness of the results of National Curriculum tests (“NC tests”) in the Key Stage 2 core subjects of English, mathematics and science, and amendment of those results where appropriate if the Secretary of State makes a determination to that effect.

Article 2 of this Order amends the test to be applied by the Secretary of State in article 7(3) and (6) of the 2003 Order for the purposes of determining the accuracy or correctness of the results of NC tests in the core subjects. The amended test is whether the accuracy or correctness of the NC test results is in doubt.

An impact assessment has not been produced for this instrument as it has no impact on the business or civil society organisations. The instrument has a minimal impact on the public sector.