
WELSH STATUTORY INSTRUMENTS

1999 No. 2800

The New Schools (Admissions) (Wales) Regulations 1999

Special arrangements for religious character of new schools

6.—(1) This Regulation makes provision for the inclusion in the initial admission arrangements for a school which will be a foundation or voluntary aided school which has a religious character of arrangements in respect of the admission of pupils to the school for preserving the religious character of the school (“special arrangements”).

(2) Where any special arrangements desired by the admission authority for such a school are agreed to by the local education authority —

- (a) the admission authority may incorporate them in the proposed initial admission arrangements which are subject to consultation under regulation 4(2); and
- (b) if the admission authority do so, regulation 5(1) shall apply to any objection about the special arrangements which —

- (i) is made by an admission authority consulted under regulation 4(2)(b), and
- (ii) falls within that regulation,

as it applies to any other objection falling within that regulation. Where any special arrangements desired by the temporary governing body of such a school are not agreed to by the local education authority —

- (a) the admission authority may incorporate a draft of any such arrangements in the proposed initial admission arrangements which are subject to consultation under regulation 4(2); but
- (b) if the temporary governing body do so —
 - (i) they shall refer the draft arrangements to the Assembly, and
 - (ii) they shall not determine to adopt those arrangements in the initial admission arrangements for the school unless (and to the extent that) the Assembly decides under this regulation that they may do so, and
 - (iii) any of the bodies consulted under regulation 4(2) may make an objection in the manner prescribed by [S.I.1999/125](#) to the Assembly about the draft arrangements.

(4) On such a reference the Assembly shall decide whether (having regard to any objections received by it under paragraph (3)) the draft arrangements may be adopted by the admission authority, with or without modification, but nothing in this paragraph shall require the Assembly to take such steps before the proposals required to be published under section 28(1) and (2) of the 1998 Act have been approved in accordance with the provisions of Schedule 6 to that Act.

(5) In the case of any draft arrangements referred to it under this regulation, the Assembly shall publish its decision on the reference and the reasons for it.

(6) The information to be published under paragraph (5) is —

- (a) the name of the admission authority and (if different) of the school to which the initial admission arrangements relate; and
- (b) a short description of the decision and of the reasons for it.

(7) The decision of the Assembly on any such reference shall, in relation to the draft arrangements in question, be binding on the temporary governing body and on all persons consulted under regulation 4(2).

(8) Where an admission authority have, in accordance with the preceding provisions of this regulation (and, so far as applicable regulations 4 and 5), determined that the initial admission arrangements for their school should include any special arrangements, those provisions shall apply on any subsequent occasion —

- (a) when the admission authority desire to modify those special arrangements; or
- (b) where the local education authority agreed to any such arrangements, when the authority withdraw their agreement to those arrangements or any part of them, whether with a view to seeking any modification of them or otherwise.