

WELSH STATUTORY INSTRUMENTS

2022 No. 679

The Curriculum and Assessment (Wales) Act 2021 (Consequential Amendments) (Secondary Legislation) (No. 2) Regulations 2022

PROSPECTIVE

PART 2

Consequential Amendments

The Education (Disapplication of the National Curriculum at Key Stage 1) (Wales) Regulations 2005

3. The Education (Disapplication of the National Curriculum at Key Stage 1) (Wales) Regulations 2005(1) are revoked on 1 September 2022.

Commencement Information

I1 Reg. 3 in force at 1.9.2022, see [reg. 1\(3\)](#), 3

The Education (National Curriculum for Wales) (Disapplication of Science at Key Stage 4) Regulations 2006

4. The Education (National Curriculum for Wales) Disapplication of Science at Key Stage 4) Regulations 2006(2) are revoked on 1 September 2022.

Commencement Information

I2 Reg. 4 in force at 1.9.2022, see [reg. 1\(3\)](#), 4

The Education (National Curriculum) (Modern Foreign Languages) (Wales) Order 2008

5.—(1) The Education (National Curriculum) (Modern Foreign Languages) (Wales) Order 2008(3) (“the 2008 Order”) applies as follows.

(2) On 1 September 2022, the 2008 Order does not apply to pupils in year 7 at a maintained school where the head teacher and governing body have adopted a relevant curriculum for those year 7 pupils under Part 2 of the 2021 Act.

(1) [S.I. 2005/1511 \(W. 115\)](#).
(2) [S.I. 2006/1335 \(W. 128\)](#).
(3) [S.I. 2008/1408 \(W. 145\)](#).

Status: This version of this part contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Curriculum and Assessment (Wales) Act 2021 (Consequential Amendments) (Secondary Legislation) (No. 2) Regulations 2022. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(3) From 1 September 2023, the 2008 Order does not apply to pupils in years 7 or 8 at a maintained school.

(4) The 2008 Order is revoked on 1 September 2024.

Commencement Information

I3 Reg. 5(1)(2) in force at 1.9.2022, see [reg. 1\(3\)](#), 5

I4 Reg. 5(3) comes into force in accordance with reg. 1(3)

The Education (National Curriculum) (Attainment Targets and Programmes of Study) (Wales) Order 2008

6.—(1) The Education (National Curriculum) (Attainment Targets and Programmes of Study) (Wales) Order 2008(4) (“the 2008 Order”) applies as follows.

(2) From 1 September 2022, articles 4 to 15 do not apply to pupils in years 3, 4, 5 and 6 at a maintained school.

(3) On 1 September 2022, articles 4 to 15 do not apply to pupils in year 7 at a maintained school where the head teacher and governing body have adopted a relevant curriculum for those year 7 pupils under Part 2 of the 2021 Act.

(4) From 1 September 2023, articles 4 to 15 do not apply to pupils in years 7 or 8 at a maintained school.

(5) From 1 September 2024, articles 4 to 15 do not apply to pupils in year 9 at a maintained school.

(6) From 1 September 2025, articles 6, 10, 13, 14 and 15 do not apply to pupils in year 10 at a maintained school.

(7) The following Orders are revoked on 1 September 2026—

(a) the 2008 Order; and

(b) the Education (National Curriculum) (Attainment Targets and Programmes of Study) (Wales) (Amendment) Order 2015(5).

Commencement Information

I5 Reg. 6(1) in force at 1.9.2022, see [reg. 1\(3\)](#), 6

I6 Reg. 6(2)(3) comes into force in accordance with reg. 1(3)

I7 Reg. 6(4) comes into force in accordance with reg. 1(3)

I8 Reg. 6(5) comes into force in accordance with reg. 1(3)

I9 Reg. 6(6) comes into force in accordance with reg. 1(3)

I10 Reg. 6(7) comes into force in accordance with reg. 1(3)

The Education (Disapplication of the National Curriculum for Wales at Key Stage 1) (Wales) Regulations 2008

7. The Education (Disapplication of the National Curriculum for Wales at Key Stage 1) (Wales) Regulations 2008(6) are revoked on 1 September 2022.

(4) [S.I. 2008/1409 \(W. 146\)](#). There are amendments which are not relevant to these Regulations.

(5) [S.I. 2015/1601 \(W. 200\)](#).

(6) [S.I. 2008/1736 \(W. 170\)](#).

Status: This version of this part contains provisions that are prospective.

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Commencement Information

I11 Reg. 701/09/2022 in force at 1.9.2022, see [reg. 1\(3\)](#), 7

The Education (Local Curriculum for Pupils in Key Stage 4) (Wales) Regulations 2009

8.—(1) The Education (Local Curriculum for Pupils in Key Stage 4) (Wales) Regulations 2009(7) (“the 2009 Regulations”) apply as follows.

(2) From 1 September 2024, the 2009 Regulations do not apply to pupils in year 9 at a maintained school.

(3) The following Regulations are revoked on 1 September 2026—

- (a) the 2009 Regulations,
- (b) regulation 8 of the Apprenticeships, Skills, Children and Learning Act 2009 (Consequential Amendments) (Wales) Regulations 2010(8);
- (c) the Education (Local Curriculum for Pupils in Key Stage 4) (Wales) (Amendment) Regulations 2014(9), and
- (d) regulation 10 of the Qualifications Wales Act 2015 (Consequential Amendments) Regulations 2016(10).

Commencement Information

I12 Reg. 8(1) in force at 1.9.2022, see [reg. 1\(3\)](#), 8

I13 Reg. 8(2) comes into force in accordance with reg. 1(3)

I14 Reg. 8(3) comes into force in accordance with reg. 1(3)

The School Governors’ Annual Reports (Wales) Regulations 2011

9.—(1) The School Governors’ Annual Report (Wales) Regulations 2011(11) are amended as follows.

(2) On 1 September 2022—

(a) regulation 2 is amended as follows—

- (i) omit the definitions of “foundation phase”, “key stage” and “statutory assessments”,
- (ii) in the definition of “language category”, for the words “Defining schools” to “Circular 023/2007” substitute “Guidance on school categories according to Welsh-medium provision” first published by the Welsh Ministers on 16 December 2021(12)”, and
- (iii) in the appropriate places insert the following definitions—
““nursery year” (“*blwyddyn meithrin*”) means the school year in which the majority of the pupils in the year group attain the age of 4;”,

(7) S.I. 2009/3256 (W. 284) amended by S.I. 2010/1142 (W. 101), S.I. 2010/2431 (W. 209), S.I. 2014/42 (W. 4) and S.I. 2016/236 (W. 88).

(8) S.I. 2010/2431 (W. 210).

(9) S.I. 2014/42 (W. 4).

(10) S.I. 2016/236 (W. 88).

(11) S.I. 2011/1939 (W. 207) amended by S.I. 2013/437 (W. 53). There are other amendments which are not relevant to this instrument.

(12) ISBN number: 978-1-80391-326-1.

Status: This version of this part contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Curriculum and Assessment (Wales) Act 2021 (Consequential Amendments) (Secondary Legislation) (No. 2) Regulations 2022. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

““year 11” (“*blwyddyn 11*”) means the school year in which the majority of pupils in the year group attain the age of 16;”, and

(b) Schedule 2 is amended as follows—

(i) in paragraph 11, omit “including the provision made for extra curricular sports activities during that period”, and

(ii) in paragraph 17, for subparagraph (a) substitute—

“(a) the use of Welsh as the language of instruction for pupils in each year from the nursery year to year 11 and the extent to which alternative instruction in English is available;”.

Commencement Information

I15 Reg. 9(1) in force at 1.9.2022, see [reg. 1\(3\)](#), 9

I16 Reg. 9(2) comes into force in accordance with reg. 1(3)

The School Teachers’ Qualifications (Wales) Regulations 2012

10.—(1) The School Teachers’ Qualifications (Wales) Regulations 2012(**13**) are amended as follows.

(2) On 1 September 2022—

(a) regulation 3 is amended as follows—

(i) in the appropriate places insert the following definitions—

““the 2021 Act” (“*Deddf 2021*”) means the Curriculum and Assessment (Wales) Act 2021(**14**);”,

““Curriculum for Wales” (“*Cwricwlwm i Gymru*”) means the curriculum adopted or provided under Part 2 or 3 of the 2021 Act;”,

““nursery year” (“*blwyddyn meithrin*”) means the school year in which the majority of the pupils in the class attain the age of 4;”,

““year 11” (“*blwyddyn 11*”) means a year group in which the majority of pupils attain the age of 16;”, and

(b) for paragraph 1(c)(i) of Schedule 2 substitute—

“(i) wholly or mainly in a school or other educational institution (except a pupil referral unit) in Wales—

(aa) at which the National Curriculum for Wales is, or was, taught in relation to the foundation phase, or the second, third or fourth key stages, as is appropriate to the school or institution,

(bb) where the Curriculum for Wales is taught in relation to the nursery year to year 11, or

(cc) where the period of training undertaken by the person has included both teaching under the National Curriculum for Wales and under the Curriculum for Wales);”.

(13) S.I. 2012/724 (W. 96). There are amendments to paragraph 1 of Schedule 2 which are not relevant to this instrument.

(14) 2021 asc 4.

Status: This version of this part contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Curriculum and Assessment (Wales) Act 2021 (Consequential Amendments) (Secondary Legislation) (No. 2) Regulations 2022. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Commencement Information

- I17** Reg. 10(1) in force at 1.9.2022, see [reg. 1\(3\)](#), 10
I18 Reg. 10(2) comes into force in accordance with reg. 1(3)

The National Curriculum (Educational Programmes for the Foundation Phase and Programmes of Study for the Second and Third Key Stages) (Wales) Order 2013

11.—(1) The National Curriculum (Educational Programmes for the Foundation Phase and Programmes of Study for the Second and Third Key Stages) (Wales) Order 2013(**15**) (“the 2013 Order”) applies as follows.

(2) From 1 September 2022, the 2013 Order does not apply to —

- (a) children and pupils—
(i) receiving nursery education in a maintained nursery school or a maintained school, or
(ii) receiving funded non-maintained nursery education,
(b) pupils in their reception year, and
(c) pupils in years 1 to 6.

(3) On 1 September 2023, the 2013 Order does not apply to pupils in year 7 at a maintained school where the head teacher and governing body have adopted a relevant curriculum for those year 7 pupils under Part 2 of the 2021 Act.

(4) From 1 September 2023, the 2013 Order does not apply to pupils in years 7 or 8 at a maintained school.

(5) The 2013 Order is revoked on 1 September 2024.

Commencement Information

- I19** Reg. 11(1) in force at 1.9.2022, see [reg. 1\(3\)](#), 11
I20 Reg. 11(2) comes into force in accordance with reg. 1(3)
I21 Reg. 11(3) comes into force in accordance with reg. 1(3)
I22 Reg. 11(4) comes into force in accordance with reg. 1(3)
I23 Reg. 11(5) comes into force in accordance with reg. 1(3)

National Curriculum (Amendments relating to Educational Programmes for the Foundation Phase and Programmes of Study for the Second and Third Key Stages) (Wales) Regulations 2013

12.—(1) The National Curriculum (Amendments relating to Educational Programmes for the Foundation Phase and Programmes of Study for the Second and Third Key Stages) (Wales) Regulations 2013(**16**) are amended as follows.

(2) Regulation 2 is revoked on 1 September 2022.

(15) S.I. 2013/434 (W. 52).

(16) S.I. 2013/437 (W. 53).

Status: This version of this part contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Curriculum and Assessment (Wales) Act 2021 (Consequential Amendments) (Secondary Legislation) (No. 2) Regulations 2022. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Commencement Information

I24 Reg. 12 in force at 1.9.2022 reg. 1(3), 12, see [reg. 1\(3\)](#)

The Education (National Curriculum) (Foundation Phase) (Wales) Order 2014

13. The Education (National Curriculum) (Foundation Phase) (Wales) Order 2014(17) is revoked on 1 September 2022.

Commencement Information

I25 Reg. 13 in force at 1.9.2022, see [reg. 1\(3\)](#), 13

The Education (School Development Plans) (Wales) Regulations 2014

14.—(1) The Education (School Development Plans) (Wales) Regulations 2014(18) are amended as follows.

(2) On 1 September 2022—

(a) in regulation 2(1)—

(i) for the definition of “national priorities” substitute the following—

““national priorities” (“*blaenoriaethau cenedlaethol*”) are—

(a) improving pupils’ progression by ensuring their learning is supported by a range of knowledge, skills and experience;

(b) reducing the impact of poverty on pupils’ progression and attainment;”,

(ii) omit the definition of “attainment results”, and

(iii) omit the definition of “school comparative information”; and

(b) omit regulation 8.

Commencement Information

I26 Reg. 14 in force at 1.9.2022, see [reg. 1\(3\)](#), 14

The Education (Amendments Relating to Teacher Assessment Information) (Wales) Regulations 2018

15.—(1) The Education (Amendments Relating to Teacher Assessment Information) (Wales) Regulations 2018(19) are amended as follows.

(2) On 1 September 2022, omit regulation 10(a).

Commencement Information

I27 Reg. 15 in force at 1.9.2022, see [reg. 1\(3\)](#), 15

(17) S.I. 2014/1996 (W. 198) amended by S.I. 2015/1596 (W. 195).

(18) S.I. 2014/2677 (W. 265) amended by S.I. 2016/236 (W. 88) and S.I. 2018/766 (W. 153).

(19) S.I. 2018/766 (W. 153). There is an amendment which is not relevant to this instrument.

Status: This version of this part contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Curriculum and Assessment (Wales) Act 2021 (Consequential Amendments) (Secondary Legislation) (No. 2) Regulations 2022. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Status:

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

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

- [reg. 701/9/2022](#) coming into force by [S.I. 2022/679 reg. 1\(3\)7](#)