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STATUTORY INSTRUMENTS

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**1989 No. 1308**

**EDUCATION, ENGLAND AND WALES**

**The Education (National Curriculum)  
(Exceptions) (Wales) Regulations 1989**

<i>Made</i>	- - - -	<i>26th July 1989</i>
<i>Laid before Parliament</i>		<i>7th August 1989</i>
<i>Coming into force</i>	- -	<i>28th August 1989</i>

Whereas the Secretary of State for Wales gave notice of the proposal to make these Regulations to the Curriculum Council for Wales and to all other persons with whom consultation appeared to him to be desirable in accordance with section 21(2) of the Education Reform Act 1988<sup>(1)</sup>;

And whereas the Secretary of State, in accordance with subsection (3) of the said section 21, duly published a draft of these Regulations and other documents mentioned in that subsection and sent copies of them to the said Council and to each of the persons consulted by him, and allowed a period of not less than one month for the submission of evidence and representations;

And whereas that period has now expired;

Now therefore the Secretary of State for Wales in exercise of the powers conferred on him by sections 17 and 232(6) of the Education Reform Act 1988 hereby makes the following Regulations in the terms of the said draft.

**Citation, commencement, application and interpretation**

1.—(1) These Regulations may be cited as the Education (National Curriculum) (Exceptions) (Wales) Regulations 1989 and shall come into force on 28th August 1989.

(2) These Regulations apply to schools in Wales only.

(3) In these Regulations:—

“the Act” means the Education Reform Act 1988;

“class” in relation to a particular subject means the teaching group in which pupils are regularly taught that subject.

### **Exceptions to the provisions of the National Curriculum**

2. In relation to pupils in the first key stage in a class in a school if more than one half of the following subjects namely:—

- (i) religious education; and
- (ii) the subjects other than English and Welsh which are foundation subjects in relation to pupils at the school

are taught (wholly or partly) in Welsh in that class, the following shall not apply:—

- (a) the provisions of section 10(3) of the Act in so far as they relate to the requirement for English to be taught for a reasonable time during the first key stage; and
- (b) the provisions of the Education (National Curriculum) (Attainment Targets and Programmes of Study in English) Order 1989<sup>(2)</sup> in so far as they relate to the specification in relation to English of the attainment targets and programmes of study for pupils in the first key stage.

26th July 1989

*Peter Walker*  
Secretary of State for Wales

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(2) S.I. 1989/907.

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## EXPLANATORY NOTE

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

Section 17 of the Education Reform Act 1988 enables the Secretary of State to make Regulations providing that the provisions of the National Curriculum shall not apply in such cases or circumstances as may be so specified.

The provisions of the National Curriculum with regard to the teaching of English for the first key stage (mainly children between the ages of five and seven) have been specified in the Education (National Curriculum) (Attainment Targets and Programmes of Study in English) Order 1989 (S.I.1989/907). The Order comes into force on 1st August 1989 in respect of pupils in the first year of the first key stage who have attained the age of five years by that date and who do not have a statement of special educational needs and on 1st August 1990 in respect of all other pupils in the first key stage.

In respect of this latter category of pupils, section 10(3) of the 1988 Act requires that between 1st August 1989 and 31st July 1990 they be taught English for a reasonable time. These Regulations disapply the provisions of the 1989 Order and of section 10(3) as it applies to the teaching of English to pupils in the first key stage who are in a group where the medium of teaching to that group is wholly or partly in Welsh with regard to more than half of the subjects comprising religious education and the foundation subjects as defined in the Education Reform Act, other than English and Welsh. This description is the same as that used to define “a Welsh-speaking school” in section 3(7) of the 1988 Act.