

---

WELSH STATUTORY INSTRUMENTS

---

**2003 No. 3227**

**The Education (Pupil Exclusions and Appeals)  
(Maintained Schools) (Wales) Regulations 2003**

**Amendment of the 1999 Regulations**

- 10.**—(1) Regulation 1(2) of the 1999 Regulations is amended by—
- (a) inserting after the definition of the 1998 Act—

““the 2002 Act” means the Education Act 2002;”; and
  - (b) adding the following definition after the definition of “individual schools budget” and “local schools budget”—

““schools budget” has the meaning attributed to it by section 45A of the 1998 Act in relation to any financial year for which that section is in force.”.
- (2) After the words “local schools budget” in the definition of B in regulation 2 of the 1999 Regulations there is inserted—  
“or schools budget (in Wales)”.
- (3) After regulation 4(b) of the 1999 Regulations there is inserted—
- “(c) in relation to Wales only (and in place of sub-paragraph (b) above) in relation to the period commencing on 1st September 1999 and ending immediately before 9th January 2004, on the date that the governing body decide under section 66 of the 1998 Act or under regulations made under section 52 of the 2002 Act that the pupil should not be reinstated.
  - (d) in relation to Wales only and subject to sub-paragraph (e), on or after 9th January 2004, on the date that an independent appeal panel constituted under regulations made under section 52 of the 2002 Act decides not to direct reinstatement; or if there is no appeal, on the day after the last date on which an appeal may be made, or on the day (if earlier) that the relevant person notifies the local education authority that he does not intend to appeal.
  - (e) where the relevant person is both a pupil of compulsory school age who is aged 11 or above on the day before the beginning of the school year in which that pupil is excluded and a parent of his, a notice in writing given by the parent to the local education authority which states that he does not intend to appeal will be treated as final whether or not the pupil has given such notice in writing.”.