
WELSH STATUTORY INSTRUMENTS

2003 No. 3233

**The Independent Schools (Religious Character of Schools)
(Designation Procedure) (Wales) Regulations 2003**

Designation Procedure

5.—(1) If a school's proprietor applies for an order under these Regulations, the National Assembly must designate the school as a school which has a religious character if —

- (a) it is satisfied that the school is conducted, or education at the school is provided, in accordance with the tenets of one or more religions or religions denominations; and
- (b) some or all of the premises currently occupied by the school were provided on trust in connection with —
 - (i) the provision of education, or
 - (ii) the conduct of an educational institutionin accordance with the tenets of one or more religions or religious denominations; or
- (c) at least one member of the governing body is a person appointed as a governor to represent the interests of one or more religions or religious denominations; or
- (d) the governing instrument of the school provides —
 - (i) that the school will be conducted in accordance with the tenets of one or more religions or religious denominations; or
 - (ii) that education at the school will be provided in accordance with the tenets of one or more religions or religious denominations.

(2) If a school's proprietor applies for an order in accordance with these Regulations but paragraph (1) does not apply, the National Assembly may nevertheless designate a school which has a religious character if it considers it appropriate to do so having regard to the following —

- (a) whether the school is conducted in accordance with the tenets of one or more religions or religious denominations;
- (b) whether education at the school is provided in accordance with the tenets of one or more religions or religious denominations; and
- (c) any representations made by a religious body on behalf of the school.

(3) For the purposes of this regulation any reference to the education at a school being provided in accordance with the tenets of one or more religions or religious denominations does not require all education provided to be in accordance with those tenets.