STATUTORY INSTRUMENTS

1990 No. 2187

EDUCATION, ENGLAND AND WALES

The Education (National Curriculum) (Exceptions) (Wales) Regulations 1990

Made - - - -	*25th October 1990*
Laid before Parliament	*12th November 1990*
Coming into force	*3rd December 1990*

Whereas the Secretary of State had given 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 desirable, in accordance with section 21(2) of the Education Reform Act 1988(a);

And whereas the Secretary of State in accordance with subsection (3) of the said section 21, duly published a draft of these Regulations and the 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 representation;

And whereas that period has now expired.

Now therefore in exercise of the powers conferred upon him by sections 17 and 232(5) and (6) of the Education Reform Act 1988 the Secretary of State for Wales hereby makes the following Regulations in the terms of the said draft:—

Citation, commencement, interpretation and extent

1.—(1) These Regulations may be cited as the Education (National Curriculum) (Exceptions) (Wales) Regulations 1990 and shall come into force on 3rd December 1990.

(2) References to a key stage are references to any of the periods set out in paragraphs (a) to (d) respectively of section 3(3) of the Education Reform Act 1988.

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

Exceptions to the provisions of the National Curriculum

2. The provisions of section 10(3) of the Education Reform Act 1988 in so far as they relate to the requirement of the National Curriculum for Welsh to be taught for a reasonable time during a key stage shall not apply:—

(a) in the first year of a key stage in a school where Welsh has not been taught in the curriculum to more than half of the total number of pupils in that first year in the school in either the school year 1987/1988 or the school year 1988/1989;

(b) in the second year of a key stage in a school where Welsh has not been taught in the curriculum to more than half of the total number of pupils in that second year in the school in either the school year 1987/1988 or the school year 1988/1989;

(c) in the third year of a key stage in a school where Welsh has not been taught in the curriculum to more than half of the total number of pupils in that third year in the school in either the school year 1987/1988 or the school year 1988/1989; or

(d) in the fourth year of a key stage in a school where Welsh has not been taught in the curriculum to more than half of the total number of pupils in that fourth year in the school in either the school year 1987/1988 or the school year 1988/1989.

David Hunt
Secretary of State for Wales

25th October 1990

(a) 1988 c.40.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 10(3) of the Education Reform Act 1988 imposes on local education authorities, governing bodies and head teachers of schools the duty to teach the subjects comprising the National Curriculum for a reasonable time during each of the key stages defined in the Act. This duty is replaced by the provisions of the attainment targets and programmes of study in a subject in the National Curriculum when these come into force by order of the Secretary of State. In respect of Welsh, the attainment targets and programmes of study come into force over a period of time by virtue of the provisions of the Education (National Curriculum) (Attainment Targets and Programmes of Study in Welsh) Order 1990. (S.I. 1990/1082).

These Regulations disapply the provisions of section 10(3) with regard to the requirement to teach Welsh for a reasonable time in a year in a key stage in a school (as defined by section 3(6) of the 1988 Act to include part of a school) where Welsh has not been taught to more than half of the total number of pupils in the school in that year in either the school year 1987/88 or the school year 1988/89.

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