STATUTORY INSTRUMENTS

2000 No. 1146

EDUCATION, ENGLAND

The Foundation Subject (Amendment) (England) Order 2000

Made - - -	*18th April 2000*
Coming into force	
save as provided in article 1(1)	*2nd May 2000*

Whereas—

(1) following the referral to them of a proposal by the Secretary of State in accordance with subsection (2) of section 368 of the Education Act 1996**(a)**, the Qualifications and Curriculum Authority ("the Authority")**(b)** have, in accordance with subsection (3) of that section, given notice thereof to the bodies and persons referred to in that subsection and afforded them a reasonable opportunity of submitting evidence and representations as to the issues arising;

(2) in accordance with directions given by the Secretary of State under the said subsection (2), the Authority have submitted their report to the Secretary of State in accordance with subsection (4) of the said section 368;

(3) the Authority have, after submitting their report to the Secretary of State, arranged for it to be published in accordance with subsection (5) of that section;

(4) the Secretary of State has published a draft of the Order and sent copies of it to the Authority and all those who were consulted by the Authority and has allowed a period of not less than one month for the submission of evidence and representations as to the issues arising in accordance with subsection (7) of that section; and

(5) a draft of the Order has been laid before, and approved by a resolution of, each House of Parliament:

Now, therefore, the Secretary of State for Education and Employment, in exercise of the powers conferred on the Secretary of State by sections 354(6) and 568(5) and (6) of the Education Act 1996**(c)**, hereby makes the following Order:

Citation, commencement, interpretation and extent

1.—(1) This Order may be cited as the Foundation Subject (Amendment) (England) Order 2000 and shall come into force on the fourteenth day after the day on which it is made save that the amendment made by article 2 providing for—

(a) the power in relation to schools in England to specify a modern foreign language as meaning any modern foreign language and the change from the foundation subject of art to one of art and design shall have effect only in relation to school years beginning on or after 2000; and

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(a) 1996 c. 56. Section 368 was amended by paragraph 28 of Schedule 7 to the Education Act 1997 (c. 44).
(b) The Qualifications and Curriculum Authority were established by section 21 of the Education Act 1997 (c. 44).
(c) By virtue of S.I. 1999/672, the powers conferred by these sections are exercisable by the Secretary of State only in relation to England.

(b) citizenship to be a National Curriculum foundation subject shall have effect only in relation to school years beginning on or after 2002.

(2) In this Order, "the Act" means the Education Act 1996.

(3) This order extends to England only.

Amendment

2. There shall be substituted for subsections (1) to (5) of section 354 of the Act (the National Curriculum core subjects and other foundation subjects) the following subsections—

"(1) The following are the core subjects—

(a) mathematics;

(b) English;

(c) science; and

(d) in relation to schools in Wales which are Welsh-speaking schools, Welsh.

(2) In relation to schools in England, the following are the other foundation subjects—

(a) technology;

(b) physical education;

(c) in relation to the first, second and third key stages—

(i) history;

(ii) geography;

(iii) art and design;

(iv) music;

(d) in relation to the third and fourth key stages—

(i) citizenship;

(ii) a modern foreign language.

(3) In relation to schools in Wales, the following are the other foundation subjects—

(a) physical education;

(b) Welsh, if the school is not a Welsh-speaking school;

(c) in relation to the first, second and third key stages—

(i) history;

(ii) geography;

(iii) art;

(iv) music;

(v) technology;

(d) in relation to the third key stage, a modern foreign language.

(4) "Modern foreign language"—

(a) in relation to schools in England, means a modern foreign language specified in an order of the Secretary of State, or, if the order so provides, any modern foreign language; and

(b) in relation to schools in Wales, means a modern foreign language specified in an order of the National Assembly for Wales.

(5) An order under subsection (4)(a) may—

(a) specify circumstances in which a language is not to be treated as a foundation subject;

(b) provide for the determination under the order of any question arising as to whether a particular language is a modern foreign language.".

3. In the definition of "foundation subjects" in section 580 of the Act (index), there shall be omitted "(1) and (2)".

Jacqui Smith
Parliamentary Under Secretary of State,
Department for Education and Employment

18th April 2000

EXPLANATORY NOTE

(This Note is not part of the Order)

This Order amends section 354 of the Education Act 1996 by substituting new subsections (1) to (5) in that section. That section names the core subjects and other foundation subjects of the National Curriculum.

While these subsections have been re-cast, there are no changes of substance for schools in Wales. The Order does though make changes relating to schools in England:

Citizenship is to become a foundation subject in relation to the third and fourth key stages as from the start of the school year beginning in 2002. For the purposes of school years which start on or after 2000, the order making power under the section relating to modern foreign languages is changed; an order need no longer specify a modern foreign language; also, the existing foundation subject of "art" is to be replaced by the foundation subject of "art and design" (*article 2*).

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