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STATUTORY INSTRUMENTS

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**1995 No. 1574**

**EDUCATION, ENGLAND AND WALES**

**WALES**

**The Education (National Curriculum)  
(Exceptions) (Wales) Regulations 1995**

<i>Made</i>	- - - -	<i>12th June 1995</i>
<i>Laid before Parliament</i>		<i>27th June 1995</i>
<i>Coming into force</i>	- -	<i>1st August 1995</i>

Having made such arrangements for consultation on his proposals pursuant to section 242(1) of the Education Act 1993<sup>(1)</sup> as he considered appropriate, the Secretary of State for Wales, in exercise of the powers conferred by sections 17 and 232(5) and (6) of the Education Reform Act 1988<sup>(2)</sup>, hereby makes the following Regulations:

**Citation, commencement, application and interpretation**

1.—(1) These Regulations may be cited as the Education (National Curriculum) (Exceptions) (Wales) Regulations 1995 and shall come into force on 1st August 1995.

(2) These Regulations apply in relation to pupils at maintained schools and grant-maintained special schools (other than those established in hospitals)<sup>(3)</sup> in Wales.

(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;

“foundation subjects” excludes any subjects which are not foundation subjects in relation to pupils in the first key stage;

“maintained school” has the meaning assigned to it by section 25(1) of the Act;

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(1) 1993 c. 35.

(2) 1988 c. 40.

(3) The provisions of the National Curriculum apply to grant-maintained special schools which are not established in hospitals by virtue of regulation 42(1) of, and Parts I and II of the Schedule to, the Education (Grant-maintained Special Schools) Regulations 1994, S.I. 1994/653, to which there are amendments not relevant to these Regulations.

a reference to the first key stage shall be construed in accordance with section 3(3) to (6) of the Act(4);

a reference to the provisions of the National Curriculum in English is to such attainment targets, programmes of study and assessment arrangements as are specified for the time being for that subject under section 4(2) of the Act(5).

### **Revocation**

2. The Education (National Curriculum) (Exceptions) (Wales) Regulations 1989(6) are revoked.

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

3. Where more than one half of the following subjects, namely—

- (i) religious education; and

- (ii) the foundation subjects other than English and Welsh—

are taught (wholly or partly) in the medium of Welsh, to pupils in the first key stage in any class in a school, the provisions of the National Curriculum in English, in so far as they relate to that key stage, shall not apply in relation to those pupils.

12th June 1995

*John Redwood*  
Secretary of State for Wales

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(4) Subsections (3) and (6) of section 3 were amended respectively by paragraph 113 of Schedule 19 to, and section 240(3) of, the Education Act 1993, and section 3(5A) was inserted by section 240(2) of that Act.

(5) See the Education (National Curriculum) (Attainment Targets and Programmes of Study in English) Order 1995 (S.I. 1995/51) and the Education (National Curriculum) (Assessment Arrangements for English, Welsh, Mathematics and Science) (Key Stage 1) (Wales) Order 1993, S.I. 1993/2190, as amended by S.I. 1994/646 and S.I. 1994/2226.

(6) S.I. 1989/1308. Those Regulations were prospectively amended by S.I. 1995/800 but that instrument was revoked before it came into force—see S.I. 1995/856.

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## EXPLANATORY NOTE

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

These Regulations replace the Education (National Curriculum) (Exceptions) (Wales) Regulations 1989, which are revoked.

Those 1989 Regulations disapply the provisions of the Education (National Curriculum) (Attainment Targets and Programmes of Study in English) Order 1989 (S.I.1989/907) in relation to pupils in the first key stage in a class which is taught more than half of the subjects specified, namely, religious education and the foundation subjects (as defined in the Education Reform Act 1988) other than English and Welsh, wholly or partly through the medium of Welsh. The Education (National Curriculum) (Attainment Targets and Programmes of Study in English) Order 1989 is repealed and replaced by the Education (National Curriculum) (Attainment Targets and Programmes of Study in English) Order 1995 which comes into force on 1st August 1995.

The present Regulations, which come into force on 1st August 1995, continue the exemption conferred by the 1989 Regulations, except that they refer to the National Curriculum in English in general terms, rather than to any specific Order under which that curriculum is from time to time established. The present Regulations extend to grant-maintained special schools (other than those established in hospitals), as well as to the other types of maintained schools which were covered by the earlier Regulations.