



Education Act 1997

1997 CHAPTER 44

PART V

SUPERVISION OF CURRICULUM FOR SCHOOLS AND EXTERNAL QUALIFICATIONS

CHAPTER II

[^{F1}FUNCTIONS OF THE NATIONAL ASSEMBLY FOR WALES]

Functions of the [^{F1}National Assembly for Wales]

[^{F1}29] **Functions of the [^{F2}National Assembly for Wales] in relation to curriculum and assessment.**

- (1) [^{F3}The National Assembly for Wales] shall have the functions set out in subsection (2) [^{F4} with respect to—
 - (a) pupils at maintained schools in Wales who have not ceased to be of compulsory school age,
 - (b) pupils at maintained nursery schools in Wales, and
 - (c) children for whom funded nursery education is provided in Wales otherwise than at a maintained school or maintained nursery school.]
- (2) The functions are—
 - (a) to keep under review all aspects of the curriculum for [^{F5}maintained schools or maintained nursery schools] and all aspects of school examinations and assessment;
 - [^{F6}(b)
 - [^{F7}(c)
 - (d) to publish and disseminate, and assist in the publication and dissemination of, information relating to the curriculum for such schools or to school examinations and assessment;

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(e) to make arrangements with appropriate bodies for auditing the quality of assessments made in pursuance of assessment arrangements;^{F8} ...

(f) ^{F8}

[^{F9}(2A) In subsection (2) references to the curriculum for a maintained nursery school include references to the curriculum for any funded nursery education provided as mentioned in subsection (1)(c); and references to assessment in schools include references to assessment in funded nursery education.]

(3) The Authority shall have, in relation to Wales, the function of developing learning goals and related materials for children who are [^{F10}under compulsory school age.]

(4) The Authority shall have, in relation to Wales, the following functions in connection with baseline assessment schemes (within the meaning of Chapter I of Part IV), namely—

(a) if designated by the Secretary of State for the purpose, any function of a designated body under that Chapter; and

(b) any other function which may be conferred on the Authority by the Secretary of State.

[^{F11}(5) In this section—

“assessment” includes examination and test;

“funded nursery education” has the meaning given by section 98 of the Education Act 2002;

“maintained school” means—

(a) any community, foundation or voluntary school, and

(b) any community ^{F12}... special school.

(6) In the definition of “maintained school”, the reference to a community, foundation or voluntary school or to a community ^{F13}... special school, is a reference to such a school within the meaning of the School Standards and Framework Act 1998.]

[^{F14}(7) In this section references to “school examinations and assessment” do not include examinations taken or assessments carried out for the purpose of the award of a qualification within the meaning of section 56 of the Qualifications Wales Act 2015.]]

Textual Amendments

F1 S. 29 omitted (1.9.2022 for specified purposes, 1.9.2023 for specified purposes) by virtue of The Curriculum and Assessment (Wales) Act 2021 (Consequential Amendments) (Primary Legislation) Regulations 2022 (S.I. 2022/744), reg. 1(3), **Sch. 2 para. 3(4)**

F2 Words in s. 29 heading substituted (1.4.2006) by Qualifications, Curriculum and Assessment Authority for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3239), art. 1(1), **Sch. 1 para. 12** (with art. 7)

F3 Words in s. 29(1) substituted (1.4.2006) by Qualifications, Curriculum and Assessment Authority for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3239), art. 1(1), **Sch. 1 para. 13(a)** (with art. 7)

F4 Words in s. 29(1) substituted (19.12.2002) by Education Act 2002 (c. 32), **Sch. 17 para. 5(2)** (with ss. 210(8), 214(4)); S.I. 2002/3185, arts. 2, 4, Sch. Pt. 1

F5 Words in s. 29(2)(a) substituted (19.12.2002) by Education Act 2002 (c. 32), s. 189, **Sch. 17 para. 5(3)(a)** (with ss. 210(8), 214(4)); S.I. 2002/3185, arts. 2, 4, Sch. Pt. 1

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- F6** S. 29(2)(b) omitted (1.4.2006) by virtue of Qualifications, Curriculum and Assessment Authority for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3239), art. 1(1), **Sch. 1 para. 13(b)(i)** (with art. 7)
- F7** S. 29(2)(c) omitted (1.4.2006) by virtue of Qualifications, Curriculum and Assessment Authority for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3239), art. 1(1), **Sch. 1 para. 13(b)(ii)** (with art. 7)
- F8** S. 29(2)(f) and preceding word repealed (19.12.2002) by Education Act 2002 (c. 32), ss. 189, 215(2), Sch. 17 para. 5(3)(b), **Sch. 22 Pt. 2** (with ss. 210(8), 214(4)); S.I. 2002/3185, arts. 2, 4, Sch. Pt. 1
- F9** S. 29(2A) inserted (19.12.2002) by Education Act 2002 (c. 32), s. 189, **Sch. 17 para. 5(4)** (with ss. 210(8), 214(4)); S.I. 2002/3185, arts. 2, 4, Sch. Pt. 1
- F10** Words in s. 29(3) substituted (1.9.1999) by 1998 c. 31, s. 140(1), **Sch. 30 para. 215** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- F11** S. 29(5)(6) substituted for s. 29(5) (1.11.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(3), **Sch. 12 para. 14**; S.I. 2010/2413, art. 2(a) (with arts. 3-5)
- F12** Words in s. 29(5) omitted (W.) (1.10.2013) by virtue of School Standards and Organisation (Wales) Act 2013 (anaw 1), s. 100(4), **Sch. 5 para. 18(2)(a)**; S.I. 2013/1800, art. 3(j)
- F13** Words in s. 29(6) omitted (W.) (1.10.2013) by virtue of School Standards and Organisation (Wales) Act 2013 (anaw 1), s. 100(4), **Sch. 5 para. 18(2)(b)**; S.I. 2013/1800, art. 3(j)
- F14** S. 29(7) inserted (21.9.2015) by Qualifications Wales Act 2015 (anaw 5), s. 60(2), **Sch. 4 para. 2(2)**; S.I. 2015/1687, art. 2 (with arts. 3-13)

Modifications etc. (not altering text)

- C1** S. 29 modified (temp.) (1.4.2006) by Qualifications, Curriculum and Assessment Authority for Wales (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3239), arts. 1(1), **7(4)** (with art. 7)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 24(2)(ga) inserted by [2008 c. 25 s. 161\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S. 161(3)(4)(11)-(13) repealed (1.4.2010 for E., 1.11.2010 for W.) without ever being in force by 2009 c. 22, Sch. 16 Pt. 4; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2)
- s. 24(2B)-(2D) inserted by [2008 c. 25 s. 9](#) (This amendment not applied to legislation.gov.uk. S. 9 repealed (31.5.2013) without ever being in force by 2009 c. 22 Sch. 16 Pt. 4; S.I. 2013/975, art. 2(c))
- s. 26A(1)(1A) substituted for s. 26A(1) by [2008 c. 25 s. 161\(11\)](#) (This amendment not applied to legislation.gov.uk. S. 161(3)(4)(11)-(13) repealed (1.4.2010 for E., 1.11.2010 for W.) without ever being in force by 2009 c. 22, Sch. 16 Pt. 4; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2)
- s. 26A(4)(5) inserted by [2008 c. 25 s. 161\(13\)](#) (This amendment not applied to legislation.gov.uk. S. 161(3)(4)(11)-(13) repealed (1.4.2010 for E., 1.11.2010 for W.) without ever being in force by 2009 c. 22, Sch. 16 Pt. 4; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2)
- s. 38(2B) inserted by [2022 asc 1 Sch. 4 para. 9\(3\)\(b\)](#)
- s. 39(1)(b)(c) substituted for s. 39(1)(b) by [2022 asc 1 Sch. 4 para. 9\(4\)\(b\)](#)
- s. 43(2ZA)(2ZB) inserted by [2009 c. 22 s. 250\(2\)](#) (This amendment not applied to legislation.gov.uk. S. 250 omitted (1.9.2012) by virtue of 2011 c. 21, s. 29(9)(d); S.I. 2012/1087, art. 3)