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WELSH STATUTORY INSTRUMENTS

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**2010 No. 824**

**The School Funding (Wales) Regulations 2010**

**PART 3 —**

**Schools' budget shares**

**School re-organisation**

**20.**—(1) In the case of a maintained school which is—

- (a) a new school referred to in regulation 3(2);
- (b) a school (other than a new school) proposals for the establishment of which under any enactment have not been fully implemented;
- (c) a school which is the subject of proposals for a prescribed alteration under Chapter 2 of Part 2 of the 1998 Act or section 113A of the 2000 Act;
- (d) a maintained nursery school which is to be discontinued in the funding period in question,

the local authority must include factors or criteria in their formula which enable them to determine the school's budget share so as to take into account the particular needs of the school; and in particular may, if the funding period in question precedes the funding period in which a school first admits pupils, determine the amount of the budget share as zero.

(2) For the purposes of these Regulations, proposals for the establishment of a school have been fully implemented when the number of pupils admitted to the school in each age group has, in the opinion of the local authority, reached—

- (a) that number of pupils indicated, when proposals for the establishment of the school were published, as the number of pupils to be admitted to each age group when the proposals were fully implemented; or
- (b) if no such number was indicated, such number as the authority may determine.