

SCHEDULE 2

Amendments to primary legislation

Education Act 2002 (c. 32)

6.—(1) The Education Act 2002 is amended as follows.

(2) In section 1 (purpose and interpretation of Chapter 1), in subsection (2)—

(a) in paragraph (a), after “school” insert “in England”;

(b) omit the “and” after paragraph (a);

(c) after paragraph (a) insert—

“(aa) have regard to the need for the curriculum for pupils of compulsory school age, or below that age, at any maintained school affected by the project that is maintained by a local authority in Wales—

(i) to enable pupils to develop in the ways described in the four purposes set out in section 2(1) of the Curriculum and Assessment (Wales) Act 2021,

(ii) to provide for appropriate progression,

(iii) to be suitable for pupils of differing ages, abilities and aptitudes, and

(iv) to be broad and balanced,

(ab) have regard to the need for—

(i) the curriculum for pupils above compulsory school age at any maintained school affected by the project that is maintained by a local authority in Wales, and

(ii) the curriculum for pupils of any age at any other school in Wales affected by the project, to be a balanced and broadly based curriculum which promotes the spiritual, moral, cultural, mental and physical development of those pupils and of society, and”.

(3) In section 6 (interpretation of Chapter 2), in subsection (4), in the definition of “curriculum provision”, in paragraph (b), for “provision of the National Curriculum for Wales” substitute “requirement imposed under or by virtue of Part 2 of the Curriculum and Assessment (Wales) Act 2021”.

(4) In section 29 (additional functions of governing body), in subsection (3)—

(a) the words from “any instruction or training” to the end become paragraph (a);

(b) at the end of paragraph (a) insert “(in the case of a school maintained by a local authority in England),”;

(c) after paragraph (a) insert—

“or

(b) any instruction or training included in a curriculum for those pupils by virtue of the Curriculum and Assessment (Wales) Act 2021 or the Learning and Skills (Wales) Measure 2009 (in the case of a school maintained by a local authority in Wales).”

(5) In section 210 (orders and regulations), in subsection (6A), omit “or an order”.

(6) In section 212 (general interpretation), in subsection (3), in paragraph (e), for “Parts 6 and 7” substitute “Part 6”.

(7) In section 216 (commencement), in subsection (3), omit “Part 7,”.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (8) In Schedule 21 (minor and consequential amendments)—
- (a) in paragraph 45, omit “, and (ii) in relation to a school maintained by a local authority in Wales, have the same meaning as in Part 7 of that Act (the curriculum in Wales); and”;
 - (b) in paragraph 46—
 - (i) in sub-paragraph (4), omit “, and (b) sections 97 to 117 (the curriculum in Wales)”;
 - (ii) in sub-paragraph (5), omit “or 7”;
 - (c) in paragraph 48—
 - (i) in sub-paragraph (2)—
 - (aa) omit “or 109”;
 - (bb) omit “or National Curriculum for Wales”;
 - (ii) in sub-paragraph (3), omit “or 109”;
 - (d) in paragraph 57, in sub-paragraph (b), in the definition of “the National Curriculum”, omit “, and (b) in relation to Wales, the National Curriculum for Wales”.