

2015 No. 1793 (W. 253)

EDUCATION, WALES

**The Education (Pupil Referral
Units) (Application of Enactments)
(Wales) (Amendment) Regulations
2015**

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 19 of the Education Act 1996 (“the Act”) requires local authorities to make arrangements for the provision of suitable education at school or otherwise than at school for those children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them. Any school established and maintained by a local authority which is specially organised to provide education for such children is known as a pupil referral unit.

Schedule 1 to the Act provides for regulations to apply enactments to pupil referral units.

The Education (Pupil Referral Units) (Application of Enactments) (Wales) Regulations 2007 (“the 2007 Regulations”) apply various education enactments to pupil referral units in Wales. These Regulations amend the 2007 Regulations to insert a new paragraph 16 in Part 2 of Schedule 1. The effect of the new paragraph 16 in Part 2 of Schedule 1 to the 2007 Regulations is to apply the Education (School Development Plans) (Wales) Regulations 2014 to Pupil Referral Units as they apply to maintained schools.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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2015**

Made 12 October 2015

Laid before the National Assembly for Wales
15 October 2015

Coming into force 6 November 2015

In the exercise of their powers under section 569(4) and (5) of, and paragraph 3 of Schedule 1 to, the Education Act 1996⁽¹⁾, the Welsh Ministers make the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the Education (Pupil Referral Units) (Application of Enactments) (Wales) (Amendment) Regulations 2015 and they come into force on 6 November 2015.

(2) These Regulations apply in relation to pupil referral units in Wales.

Amendment

2. For paragraph 16 and its heading in Part 2 of Schedule 1 to the Education (Pupil Referral Units) (Application of Enactments) (Wales) Regulations 2007⁽²⁾ substitute—

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- (1) 1996 c. 56. The powers were conferred upon the Secretary of State: *see* the definition of “regulations” in section 579 of the 1996 Act. By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), the powers are exercisable by the Assembly in relation to Wales and by virtue of paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32) are now exercisable by the Welsh Ministers.
- (2) S.I. 2007/1069 (W. 109) as amended by S.I. 2014/2677 (W. 265).

**□ Education (School Development Plans)
(Wales) Regulations 2014**

16. The Education (School Development Plans) (Wales) Regulations 2014⁽¹⁾ apply in relation to units as they apply in relation to maintained schools.□

Huw Lewis

Minister for Education and Skills, one of the Welsh
Ministers

12 October 2015

(1) S.I. 2014/2677 (W. 265).