

Changes to legislation: School Standards and Organisation (Wales) Act 2013, Cross Heading: Exclusions from transfer is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE 4

IMPLEMENTATION OF PROPOSALS TO CHANGE CATEGORY OF SCHOOL

PART 3

TRANSFER OF LAND

Exclusions from transfer

- 30 Nothing in paragraphs 10 to 25 has the effect of transferring to, or vesting in, any body—
- (a) any land, rights or liabilities excluded under paragraph 31 or 32,
 - (b) any rights or liabilities under a contract of employment,
 - (c) any liability of a local authority, governing body or trustees in respect of the principal of, or any interest on, any loan, or
 - (d) any liability in tort.

Commencement Information

I1 Sch. 4 para. 30 in force at 1.10.2013 by S.I. 2013/1800, art. 3(h)

- 31 (1) Sub-paragraph (2) applies if before the implementation date in relation to any change of category—
- (a) the prospective transferee and transferor have agreed in writing that any land should be excluded from the operation of paragraphs 10 to 25, and
 - (b) the Welsh Ministers have given their written approval of the agreement.
- (2) The land (and any rights or liabilities relating to it) is to be so excluded.

Commencement Information

I2 Sch. 4 para. 31 in force at 1.10.2013 by S.I. 2013/1800, art. 3(h)

- 32 (1) Sub-paragraph (2) applies if in the absence of agreement under paragraph 31—
- (a) the prospective transferee or transferor has applied to the Welsh Ministers to exclude any land from the operation of paragraphs 10 to 25, and
 - (b) the Welsh Ministers have directed its exclusion.
- (2) The land (and any rights or liabilities relating to it) is to be excluded.

Commencement Information

I3 Sch. 4 para. 32 in force at 1.10.2013 by S.I. 2013/1800, art. 3(h)

- 33 (1) An agreement under paragraph 31 may provide for the land to be used or held for the purposes of the school on such terms as may be specified in or determined in accordance with the agreement.
- (2) Directions under paragraph 32—

Changes to legislation: *School Standards and Organisation (Wales) Act 2013, Cross Heading: Exclusions from transfer is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (a) may confer any rights or impose any liabilities that could have been conferred or imposed by an agreement under paragraph 31, and
- (b) have effect as if contained in such an agreement.

Commencement Information

I4 [Sch. 4 para. 33](#) in force at 1.10.2013 by [S.I. 2013/1800](#), [art. 3\(h\)](#)

- 34 In paragraphs 31 and 32—
- “the prospective transferee” (“*y trosglwyddai arfaethedig*”), in relation to any land, means the body to which (apart from paragraphs 31 and 32) the land would fall to be transferred under paragraphs 10 to 25, and
 - “the prospective transferor” (“*y trosglwyddwr arfaethedig*”) is to be construed accordingly.

Commencement Information

I5 [Sch. 4 para. 34](#) in force at 1.10.2013 by [S.I. 2013/1800](#), [art. 3\(h\)](#)

Changes to legislation:

School Standards and Organisation (Wales) Act 2013, Cross Heading: Exclusions from transfer is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

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):

- Pt. 3 Ch. 3A inserted by [2022 asc 1 Sch. 4 para. 29\(7\)](#)
- s. 1(9A) inserted by [2022 asc 1 Sch. 4 para. 29\(2\)\(a\)](#)
- s. 38(2)(ca) inserted by [2022 asc 1 Sch. 4 para. 29\(3\)\(a\)](#)
- s. 38(5)(ca) inserted by [2022 asc 1 Sch. 4 para. 29\(3\)\(b\)](#)
- s. 39(1)(ca) inserted by [2022 asc 1 Sch. 4 para. 29\(4\)](#)
- Sch. 2 para. 19(2)(c)(i) word inserted by [2022 asc 1 Sch. 4 para. 29\(12\)\(b\)](#)