



School Standards and Organisation (Wales) Act 2013

2013 anaw 1

PART 6

GENERAL

98 General interpretation and index of defined expressions

- (1) The provisions of this Act and those of the Education Act 1996 are to be read as if they were all contained in the Education Act 1996.
- (2) But where an expression is given for the purposes of any provision of this Act a meaning different from that given to it for the purposes of the Education Act 1996, the meaning given for the purposes of that provision is to apply instead of the one given for the purposes of the Education Act 1996.
- (3) In this Act—
 - “appropriate diocesan authority” (“*awdurdod esgobaethol priodol*”) has the same meaning as in section 142(1) of the School Standards and Framework Act 1998;
 - “appropriate religious body” (“*corff crefyddol priodol*”) means—
 - (a) in the case of a Church in Wales school or a Roman Catholic Church school, or proposed such school, the appropriate diocesan authority, and
 - (b) in the case of other schools or proposed schools, the body representing the religion or religious denomination stated, or that it is intended to be stated, in relation to the school in an order under section [F168A] of the School Standards and Framework Act 1998;
 - “Church in Wales school” (“*un o ysgolion yr Eglwys yng Nghymru*”) has the same meaning as in section 142(1) of the School Standards and Framework Act 1998;
 - “the Code” (“*y Cod*”) in Chapter 2 of Part 3 means the code on school organisation issued under section 38(1);

Changes to legislation: School Standards and Organisation (Wales) Act 2013, Section 98 is up to date with all changes known to be in force on or before 27 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

“foundation body” (“*corff sefydledig*”) has the same meaning as in section 21(4)(a) of the School Standards and Framework Act 1998;

“foundation governor” (“*llywodraethwr sefydledig*”), in relation to a foundation school or a voluntary school, means a person appointed as a foundation governor in accordance with regulations under section 19 of the Education Act 2002;

“local authority” (“*awdurdod lleol*”) (except in section 54(2)(b)) means a county or county borough council in Wales;

“maintained school” (“*ysgol a gynhelir*”) means a school in Wales which is a community, foundation or voluntary school, a community special school or a maintained nursery school;

“objection period” (“*cyfnod gwrthwynebu*”) is defined in section 49(2) for the purposes of Chapter 2 of Part 3;

“powers to make proposals to alter its school” (“*pwerau i wneud cynigion i newid ei ysgol*”) is defined in section 83 for the purposes of Part 3;

“powers to make proposals to establish, alter or discontinue schools” (“*pwerau i wneud cynigion i sefydlu, newid neu derfynu ysgolion*”) is defined in section 83 for the purposes of Part 3;

“prescribed” (“*rhagnodedig*”) means prescribed by regulations;

“primary school” (“*ysgol gynradd*”) is defined in section 90 for the purposes of sections 88 and 89;

“proposer” (“*cynigydd*”) is defined in section 56 for the purposes of Chapter 2 of Part 3;

“provide” (“*darparu*”) is defined in section 90 for the purposes of sections 88 and 89;

“pupil” (“*disgybl*”) is defined in section 90 for the purposes of sections 88 and 89;

“regional provision” (“*darpariaeth ranbarthol*”) is defined in section 64 for the purposes of Chapter 4 of Part 3;

“regulated alteration” (“*newid rheoleiddiedig*”) in Chapter 2 of Part 3 means an alteration described in Schedule 2;

“regulations” (“*rheoliadau*”) means regulations made by the Welsh Ministers;

“Roman Catholic Church school” (“*un o ysgolion yr Eglwys Gatholig Rufeinig*”) has the same meaning as in section 142(1) of the School Standards and Framework Act 1998;

“school authority” (“*awdurdod ysgol*”) is defined in section 32 for the purposes of Chapter 3 of Part 2;

“small school” (“*ysgol fach*”) is defined in section 56 for the purposes of Chapter 2 of Part 3;

[^{F2}“special education functions” (“*swyddogaethau addysg arbennig*”)] [^{F2}“additional learning needs functions” (“*swyddogaethau anghenion dysgu ychwanegol*”)] is defined in section 64 for the purposes of Chapter 4 of Part 3.

(4) For references in Part 3 to—

- (a) the discontinuance of a maintained school, see section 83;
- (b) a school's category, see section 83.

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- (5) A reference in this Act to a school which has a religious character is to a school which is designated as having such a character by an order under section [F368A] of the School Standards and Framework Act 1998.

Textual Amendments

- F1** Word in s. 98(3) substituted (30.4.2021) by [Curriculum and Assessment \(Wales\) Act 2021 \(asc 4\)](#), s. 84(1), **Sch. 2 para. 69(a)** (with savings and transitional provisions in [S.I. 2022/111](#), regs. 1, 3)
- F2** Words in s. 98(3) substituted (1.9.2021 for specified purposes, 1.1.2022 for specified purposes, 1.9.2022 for specified purposes) by [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018 \(anaw 2\)](#), s. 100(3), **Sch. 1 para. 22(5)**; [S.I. 2021/373](#), arts. 3, 4, 6, 7 (as amended by [S.I. 2021/938](#), art. 2); [S.I. 2021/1243](#), art. 3 (with arts. 4-23) (as amended by [S.I. 2021/1428](#), art. 2); [S.I. 2021/1244](#), art. 3 (with arts. 4-21) (as amended by [S.I. 2021/1428](#), art. 3); [S.I. 2021/1245](#), arts. 3, 4 (with art. 1(4)); [S.I. 2022/891](#), art. 3 (with arts. 4-25); [S.I. 2022/892](#), arts. 2, 3 (with arts. 4-18); [S.I. 2022/893](#), art. 4; [S.I. 2022/894](#), art. 3; [S.I. 2022/895](#), arts. 3, 4; [S.I. 2022/896](#), art. 3 (with arts. 1(7), 4-22); [S.I. 2022/897](#), art. 3 (with arts. 1(8), 4-21); [S.I. 2022/898](#), arts. 2, 3
- F3** Word in s. 98(5) substituted (30.4.2021) by [Curriculum and Assessment \(Wales\) Act 2021 \(asc 4\)](#), s. 84(1), **Sch. 2 para. 69(b)** (with savings and transitional provisions in [S.I. 2022/111](#), regs. 1, 3)

Commencement Information

- I1** S. 98 in force at 26.4.2013 for specified purposes by [S.I. 2013/1000](#), **art. 2(d)**
- I2** S. 98 in force at 4.5.2013 in so far as not already in force by [S.I. 2013/1000](#), **art. 3(b)**

Changes to legislation:

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Changes and effects yet to be applied to :

- s. 98(3) words inserted by [2022 asc 1 Sch. 4 para. 29\(11\)\(a\)](#)
- s. 98(3) words inserted by [2022 asc 1 Sch. 4 para. 29\(11\)\(c\)](#)
- s. 98(3) words substituted by [2022 asc 1 Sch. 4 para. 29\(11\)\(b\)](#)

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\(12\)\(b\)](#)