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WELSH STATUTORY INSTRUMENTS

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**2022 No. 744**

**The Curriculum and Assessment (Wales)  
Act 2021 (Consequential Amendments)  
(Primary Legislation) Regulations 2022**

**Title and commencement**

1.—(1) The title of these Regulations is the Curriculum and Assessment (Wales) Act 2021 (Consequential Amendments) (Primary Legislation) Regulations 2022.

(2) Regulations 1 to 4 and Schedule 1 come into force on 1 September 2022.

(3) Schedule 2 comes into force as follows—

(a) on 1 September 2022—

(i) for a child or pupil receiving nursery education,

(ii) for pupils in a reception year,

(iii) for a child or pupil in years 1 to 6, and

(iv) for a child or pupil in year 7 who are provided with a relevant curriculum under the 2021 Act,

(b) on 1 September 2023 for a child or pupil in years 7 and 8,

(c) on 1 September 2024 for a child or pupil in year 9,

(d) on 1 September 2025 for a child or pupil in year 10, and

(e) on 1 September 2026 for a child or pupil in years 11 to 13.

**Interpretation**

2. In these Regulations—

“the 1996 Act” (“*Deddf 1996*”) means the Education Act 1996(1);

“the 2021 Act” (“*Deddf 2021*”) means the Curriculum and Assessment (Wales) Act 2021;

“child” (“*plentyn*”) has the meaning given to it in section 579(1) of the 1996 Act;

“funded non-maintained nursery education” (“*addysg feithrin a gyllidir ond nas cynhelir*”) has the meaning given to it in section 80(1)(a) of the 2021 Act;

“maintained nursery school” (“*ysgol feithrin a gynhelir*”) has the meaning given to it in section 79(1)(b) of the 2021 Act;

“maintained school” (“*ysgol a gynhelir*”) has the meaning given to it in section 79(1)(a) of the 2021 Act;

“nursery education” (“*addysg feithrin*”) means education provided to children or pupils below compulsory school age—

(a) in a maintained school or a maintained nursery school, or

- (b) by the provider of funded non-maintained nursery education;
- “pupil” (“*disgybl*”) has the meaning given to it in section 3 of the 1996 Act<sup>(2)</sup>;
- “pupil referral unit” (“*uned cyfeirio disgyblion*”) has the meaning given to it in section 81(1) of the 2021 Act;
- “reception year” (“*blwyddyn derbyn*”) means a year group in which the majority of the pupils attain the age of 5;
- “relevant curriculum” (“*cwricwlwm perthnasol*”) has the meaning given to it in section 56(5) of the 2021 Act;
- “setting” (“*lleoliad*”) means—
- (a) a maintained school,
  - (b) a provider of funded non-maintained nursery education,
  - (c) a pupil referral unit, and
  - (d) the provision of teaching and learning for a child otherwise than at a pupil referral unit by virtue of arrangements made under section 19A of the 1996 Act;
- “year 1” (“*blwyddyn 1*”) means the year group in which the majority of pupils attain the age of 6;
- “year 2” (“*blwyddyn 2*”) means the year group in which the majority of pupils attain the age of 7;
- “year 3” (“*blwyddyn 3*”) means the year group in which the majority of pupils attain the age of 8;
- “year 4” (“*blwyddyn 4*”) means the year group in which the majority of pupils attain the age of 9;
- “year 5” (“*blwyddyn 5*”) means the year group in which the majority of pupils attain the age of 10;
- “year 6” (“*blwyddyn 6*”) means the year group in which the majority of pupils attain the age of 11;
- “year 7” (“*blwyddyn 7*”) means the year group in which the majority of pupils attain the age of 12;
- “year 8” (“*blwyddyn 8*”) means the year group in which the majority of pupils attain the age of 13;
- “year 9” (“*blwyddyn 9*”) means the year group in which the majority of pupils attain the age of 14;
- “year 10” (“*blwyddyn 10*”) means the year group in which the majority of pupils attain the age of 15;
- “year 11” (“*blwyddyn 11*”) means the year group in which the majority of pupils attain the age of 16;
- “year 12” (“*blwyddyn 12*”) means the year group in which the majority of pupils attain the age of 17;
- “year 13” (“*blwyddyn 13*”) means the year group in which the majority of pupils attain the age of 18;

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(2) Subsection (1) was amended by section 57(1) of, and paragraph 9 of Schedule 7 to, the Education Act 1997 (c. 44) and subsections (1) and (1A) were further amended by section 215(1) of, and paragraph 34 of Schedule 21 to, the Education Act 2002 (c. 32).

“year group” (“*grŵp blwyddyn*”) means a group of children or pupils at a setting the majority of whom will, in a particular academic year, attain the same age.

**Amendments to the Curriculum and Assessment (Wales) Act 2021**

3. Schedule 1 contains amendments to the Curriculum and Assessment (Wales) Act 2021.

**Amendments to primary legislation**

4. Schedule 2 contains amendments to primary legislation.

29 June 2022

*Jeremy Miles*  
Minister for Education and Welsh Language, one  
of the Welsh Ministers