

# SL(6)442 – [The Independent Schools \(Provision of Information\) Regulations 2024](#)

## Background and Purpose

These Regulations revoke and replace the Independent Schools (Provision of Information) (Wales) Regulations 2003 (“the 2003 Regulations”). These Regulations apply in relation to Wales.

These Regulations relate to applications for registration of independent schools under section 160(1) of the Education Act 2002 and information to be provided periodically by the proprietors of independent schools under section 168 of that Act.

Regulation 2 and Part 1 of the Schedule contain interpretation provisions.

Regulation 3 and Part 2 of the Schedule make provision for the form and content of an application to register an independent school under section 160(1) of the Education Act 2002.

Regulation 4 makes provision for the submission by the proprietor of an independent school of an initial return within 90 days of the admission date or, if later, a request by the registration authority. Part 3 of the Schedule prescribes the information to be included in the initial return.

Regulation 5 makes provision for the submission by the proprietor of an independent school of annual returns to the registration authority. Part 4 of the Schedule prescribes the information to be included in the annual return.

Regulation 6 provides that if it is satisfied that a proprietor of an independent school has failed to comply with any requirement of regulation 4 or 5, the registration authority may remove the school from the register. Regulation 7 provides that it is an offence for a proprietor of an independent school to fail to comply with any requirement of regulation 4 or 5.

Regulation 8 revokes the 2003 Regulations. Regulations 9, 10 and 11 revoke other instruments and provisions that amend either the 2003 Regulations or the Independent School Standards (Wales) Regulations 2003.

Regulation 12 makes transitional provision for the 2003 Regulations in cases where an initial return is required or annual return requested before the coming into force of these Regulations.

The Immigration Rules, which are referred to in paragraph 32 of the Schedule to these Regulations, can be found at <https://www.gov.uk/guidance/immigration-rules/immigration-rules-index>.

## Procedure

Negative



The Regulations were made by the Welsh Ministers before they were laid before the Senedd. The Senedd can annul the Regulations within 40 days (excluding any days when the Senedd is: (i) dissolved, or (ii) in recess for more than four days) of the date they were laid before the Senedd.

## Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

## Merits Scrutiny

The following point is identified for reporting under Standing Order 21.3 in respect of this instrument.

### **1. Standing Order 21.3(ii) - that it is of political or legal importance or gives rise to issues of public policy likely to be of interest to the Senedd**

The Regulations refer to an online application which is accessed from the pages of the website maintained by the Welsh Government. In terms of accessibility, it may be helpful for the reader to be provided with a hyperlink to the application in the Explanatory Memorandum or Explanatory Notes.

## Welsh Government response

A Welsh Government response is not required.

### **Legal Advisers**

**Legislation, Justice and Constitution Committee**

**24 January 2024**



Senedd Cymru

**Pwyllgor Deddfwriaeth, Cyfiawnder a'r Cyfansoddiad**

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Welsh Parliament

**Legislation, Justice and Constitution Committee**