WELSH STATUTORY INSTRUMENTS

2009 No. 3161 (W.275)

EDUCATION, WALES

The Staffing of Maintained Schools (Wales) (Amendment No. 2) Regulations 2009

Made - - - -	*2 December 2009*
Laid before the National Assembly for Wales - -	*4 December 2009*
Coming into force - -	*1 January 2010*

The Welsh Ministers in exercise of the powers conferred on the National Assembly for Wales by sections 35(4) and (5), 36(4) and (5) and 210(7) of the Education Act 2002(**1**) and now vested in them make the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the Staffing of Maintained Schools (Wales) (Amendment No 2) Regulations 2009 and they come into force on 1 January 2010.

(2) These Regulations apply in relation to Wales.

Amendment to the Staffing of Maintained Schools (Wales) Regulations 2006

2.—(1) The Staffing of Maintained Schools (Wales) Regulations 2006(**2**) are amended as follows.

(2) In regulation 10(8), for "The governing body" substitute "Subject to paragraph (8A) the governing body".

(3) After paragraph (8) of regulation 10 insert—

> "(8A) The governing body may decide not to advertise in accordance with paragraph (8) the vacancy in the post of head teacher or deputy head teacher where such vacancy is at a school named in proposals published under sections 29 to 32 of the 1998 Act as one which pupils at a school to be discontinued may attend ("the new school") and–

(**1**) 2002 c. 32. The functions of the National Assembly for Wales under those sections were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006. *See* section 212 for the definition of "regulations".

(**2**) S.I. 2006/873 (W.81), as amended by the Staffing of Maintained Schools (Miscellaneous Amendments) (Wales) Regulations 2007 (S.I. 2007/944 (W.80)), the Education (Miscellaneous Amendments relating to Safeguarding Children) (Wales) Regulations 2009 (S.I. 2009/2544 (W.206)) and the Staffing of Maintained Schools (Wales) (Amendment) Regulations 2009 (S.I. 2009/2708 (W.226)).