WELSH STATUTORY INSTRUMENTS

2009 No. 48 (W.16)

EDUCATION, WALES

The Education (Maintained Special Schools) (Wales) (Amendment) Regulations 2009

Made - - - -	*16 January 2009*
Laid before the National Assembly for Wales - -	*19 January 2009*
Coming into force - -	*9 February 2009*

The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by section 71(7) of the School Standards and Framework Act 1998(**1**) and now vested in them(**2**), make the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the Education (Maintained Special Schools) (Wales) (Amendment) Regulations 2009 and they come into force on 9 February 2009.

(2) These Regulations apply in relation to Wales.

Amendment of Regulations

2. For regulation 12 of the Education (Maintained Special Schools) (Wales) Regulations 1999(**3**), substitute the following —

"**Religious Education**

12. Arrangements must be made to ensure that, so far as practicable, every pupil attending a maintained special school —

(a) receives religious education unless withdrawn from receiving such education in accordance with the wishes of the pupil's parent; and

(**1**) 1998 c. 31. Section 71 was amended by the Education Act 2002 (c. 32), Schedule 21, paragraph 105. Section 71(7) was substituted by section 55(8) of the Education and Inspections Act 2006 (c. 40).

(**2**) Functions of the Secretary of State under section 71 were transferred to the National Assembly for Wales by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672) and section 180 of the Education and Inspections Act 2006 (as amended by paragraph 88 of Schedule 1 to the Education and Skills Act 2008 (c. 25)) and then to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(**3**) S.I. 1999/1780, as amended by S.I. 2005/3238 (W.243).