Draft Order laid before Parliament under section 210(3) of the Education Act 2002, for approval by resolution of each House of Parliament. This replaces a previous Draft Order laid on 18th September 2003 and is being issued free of charge to all known recipients of that Order.

DRAFT STATUTORY INSTRUMENTS

2003 No.

EDUCATION, ENGLAND

Education (Amendment of the Curriculum Requirements for Fourth Key Stage) (England) Order 2003

Made - - - -

Coming into force in accordance with article 1(2).

Whereas a draft of the following Order was laid before Parliament in accordance with section 210(3) of the Education Act 2002 and approved by resolution of each House of Parliament;

Now, therefore, the Secretary of State for Education and Skills, in exercise of the powers conferred on the Secretary of State by sections 86 and 210(7) of the Education Act 2002(**1**), hereby makes the following Order:

Citation, commencement and application

1.—(1) This Order may be cited as the Education (Amendment of the Curriculum Requirements for Fourth Key Stage) (England) Order 2003.

(2) This Order shall come into force on the day after the day on which it is made.

(3) This Order applies to England.

Amendment of the Education Act 2002

2. For section 85 of the Education Act 2002 (Curriculum requirements for fourth key stage) there is substituted—

"**85 Curriculum requirements for fourth key stage**

(1) For the fourth key stage, the National Curriculum for England shall comprise the core and other foundation subjects and the elements referred to in subsection (5).

(2) The National Curriculum for England shall specify programmes of study in relation to each of the core and other foundation subjects for the fourth key stage.

(**1**) 2002 c. 32.

(3) The following are the core subjects for the fourth key stage—

(a) mathematics,

(b) English, and

(c) science.

(4) The following are the other foundation subjects for the fourth key stage—

(a) information and communication technology,

(b) physical education, and

(c) citizenship.

(5) The elements for the fourth key stage referred to in subsection (1) are—

(a) work-related learning, and

(b) in relation to any pupil who so elects, one subject from each of such one or more of the four entitlement areas specified below as the pupil may elect.

(6) Those entitlement areas are—

(a) arts, comprising—

(i) art and design,

(ii) music,

(iii) dance,

(iv) drama, and

(v) media arts,

(b) design and technology (comprising only that subject),

(c) humanities, comprising—

(i) geography, and

(ii) history, and

(d) modern foreign languages, comprising any modern foreign language specified in an order made by the Secretary of State or, if the order so specifies, any modern foreign language.

(7) An order under subsection (6)(d) may—

(a) specify circumstances in which a language is not to be treated as falling within subsection (6)(d), and

(b) provide for the determination under the order of any question arising as to whether a particular language is a modern foreign language.

(8) A pupil in the fourth key stage shall, if he so elects, be entitled to follow a course of study in a subject within each of the four entitlement areas specified in subsection (6); but this entitlement is satisfied where one subject within each of those entitlement areas is made available to him by or on behalf of the school at which he is a registered pupil.

(9) In the exercise of their functions under this Part by virtue of this section, a local education authority, governing body or head teacher shall have regard to any guidance relating to work-related learning or the entitlement areas which is issued from time to time by the Qualifications and Curriculum Authority.

(10) In this section—

"course of study" means a course of education or training which leads to a qualification approved under section 98 of the Learning and Skills Act 2000 for the purposes of section 96 of that Act;