
W E L S H S T A T U T O R Y
I N S T R U M E N T S

2025 No. 1343 (W. 219)

EDUCATION, WALES

**The Healthy Eating in Schools
(Nutritional Standards and
Requirements) (Maintained Primary
Schools) (Wales) Regulations 2025**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations apply to local authorities and governing bodies that provide food and drink on a school day to registered pupils at maintained primary schools, whether the food and drink is provided on school premises or not. For the purposes of these Regulations, “maintained primary school” means a maintained school that provides primary education (whether or not it also provides other kinds of education). “Maintained school” means a community, foundation or voluntary school, a community special school or a pupil referral unit in Wales or a maintained nursery school as defined in regulation 2(1). Where a maintained primary school also provides secondary education, these Regulations will apply only to food and drink provided to registered pupils in year 6 and below.

These Regulations set out the types of food and drink that must and must not be provided and the frequency with which certain foods must or must not be provided. They also prescribe the energy and nutrient content of average school lunches.

Regulation 2(2) and (3) sets out the circumstances in which these Regulations will not apply.

Regulation 3 requires a local authority or governing body of a maintained primary school to ensure that the requirements in Schedule 2 are complied with where it provides school breakfast to registered pupils.

Regulation 4 requires a local authority or governing body of a maintained primary school to ensure that the requirements in Schedule 3 and the nutritional standards in Schedule 5 are complied with when providing school lunches to registered pupils. The

nutritional standards in Schedule 5 do not apply to a school lunch provided to mark any religious or cultural occasion. As some of the requirements in Schedule 3 refer to the frequency with which certain foods must or must not be provided by reference to a week, regulation 4(4) provides that certain requirements do not apply where the school is open for less than a week.

Regulation 5 requires a local authority or governing body of a maintained primary school to ensure that the requirements in Schedule 4 are complied with where it provides food or drink before 6pm on a school day to registered pupils other than as part of a school breakfast or a school lunch.

Regulation 6 and Schedule 6 make consequential amendments to the Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013 (“the 2013 Regulations”) so that the 2013 Regulations only apply to maintained secondary schools from the 31 October 2026. They also make other minor amendments to the 2013 Regulations.

Schedule 1 defines a specified meat product.

Schedule 2 prescribes requirements relating to food and drink provided as a school breakfast.

Schedule 3 prescribes requirements relating to food and drink provided as part of a school lunch.

Schedule 4 prescribes requirements relating to food and drink provided before 6pm on a school day otherwise than as part of a school breakfast or a school lunch.

Schedule 5 prescribes the energy standard that applies to the average daily school lunch and the energy and nutrient standards that apply to the average school lunch in a menu cycle. There are different energy and nutrient standards that apply to the average school lunch provided to an infant pupil and the average school lunch provided to a junior pupil. “Infant pupil” and “junior pupil” are defined in regulation 2(1). The energy and nutrients provided in supplementary bread and in a school lunch consisting of food and drink that is estimated to be served to less than 1% of registered pupils served with a school lunch at a maintained primary school or a group of schools (as defined in Schedule 5) are excluded from the calculations required by Schedule 5.

The Welsh Ministers’ Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, a regulatory impact assessment has been prepared as to the likely costs and benefits of complying with these Regulations. A copy can be obtained from Welsh

Government, Cathays Park, Cardiff CF10 3NQ and is published on www.gov.wales.

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**The Healthy Eating in Schools
(Nutritional Standards and
Requirements) (Maintained Primary
Schools) (Wales) Regulations 2025**

Made 12 December 2025

Laid before Senedd Cymru 17 December 2025

Coming into force 31 October 2026

The Welsh Ministers make the following Regulations in exercise of the powers conferred upon them by sections 4(1), (2) and (8) and 10(2) and (3) of the Healthy Eating in Schools (Wales) Measure 2009⁽¹⁾, and having taken steps to ascertain the views of pupils and consulted such other persons as they consider appropriate as required by section 4(11) of that Measure.

Title and coming into force

1.—(1) The title of these Regulations is the Healthy Eating in Schools (Nutritional Standards and Requirements) (Maintained Primary Schools) (Wales) Regulations 2025.

(2) These Regulations come into force on 31 October 2026.

Interpretation

2.—(1) In these Regulations—

“the 1996 Act” (“*Deddf 1996*”) means the Education Act 1996⁽²⁾;

“boarding school” (“*ysgol fyrddio*”) means a maintained primary school which has boarding pupils, whether or not it also has day pupils;

(1) 2009 nawm 3.

(2) 1996 c. 56.

“compulsory school age” (*“oedran ysgol gorfodol”*) has the meaning given to it by section 8 of the 1996 Act⁽¹⁾;

“confectionery” (*“melysion”*) means—

- (a) cereal bars;
- (b) chewing gum;
- (c) chocolate in any form;
- (d) any product containing chocolate or wholly or partially coated with chocolate;
- (e) any chocolate flavoured substance except cocoa powder used in sweetened baked products and desserts;
- (f) decorative toppings made from sugar or icings made from sugar;
- (g) processed or extruded fruit bars;
- (h) other non-chocolate confectionery (whether or not containing sugar) including mints;

“free sugars” (*“siwgrau rhydd”*) means—

- (a) all monosaccharides and disaccharides added to foods, and
- (b) all sugars naturally present in honey, syrups and unsweetened fruit juice;

“fruit” (*“ffrwythau”*) does not include fruit juice;

“fruit juice” (*“sudd ffrwythau”*) means—

- (a) a product that complies with the specification in Schedule 2 (specification for fruit juice) to the Fruit Juices and Fruit Nectars (Wales) Regulations 2013⁽²⁾, or
- (b) a product that complies with the specification in Schedule 3 (specification for fruit juice from concentrate) to the Fruit Juices and Fruit Nectars (Wales) Regulations 2013;

“governing body” (*“corff llywodraethu”*), in relation to a maintained primary school that is a pupil referral unit, includes the management committee of the pupil referral unit;

“infant pupil” (*“disgybl o oedran babanod”*) means a registered pupil in a nursery class, a reception year, year 1 or year 2;

“junior pupil” (*“disgybl iau”*) means a registered pupil in year 3, year 4, year 5 or year 6;

“local authority” (*“awdurdod lleol”*) has the meaning given to “local authority in Wales” by section 579(1) of the 1996 Act⁽³⁾;

(1) Section 8 was amended by section 52 of the Education Act 1997 (c. 44).

(2) S.I. 2013/2750 (W. 267), to which there are amendments not relevant to these Regulations.

(3) The meaning of “local authority in Wales” in section 579(1) was substituted by S.I. 2010/1158, article 3.

“maintained nursery school” (“*ysgol feithrin a gynhelir*”) means a nursery school which is maintained by a local authority and is not a special school;

“maintained primary school” (“*ysgol gynradd a gynhelir*”) means a maintained school that provides primary education (whether or not it also provides other kinds of education);

“maintained school” (“*ysgol a gynhelir*”) means a community, foundation or voluntary school, a community special school or a pupil referral unit in Wales or a maintained nursery school;

“meat” (“*cig*”) means the skeletal muscles of mammalian and bird species recognised as fit for human consumption with naturally included or adherent tissue but does not include mechanically separated meat;

“mechanically separated meat” (“*cig a wahrenir yn fecanyddol*”) has the meaning given in point 1.14 of Annex 1 to Regulation (EC) No 853/2004 of the European Parliament and of the Council laying down specific hygiene rules for food of animal origin⁽¹⁾;

“medically prescribed dietary requirements” (“*anghenion deietegol sydd wedi eu rhagnodi’n feddygol*”) means dietary requirements prescribed or recommended in writing for a pupil by—

- (a) a registered medical practitioner, or
- (b) a dietician who is registered in Part 4 of the register maintained under article 5 of the Health Professions Order 2001⁽²⁾;

“nursery class” (“*dosbarth meithrin*”) means a class of pupils who are provided with education suitable for children who have not attained compulsory school age;

“plain plant-based drinks” (“*diodydd plaen sydd wedi eu seilio ar blanhigion*”) means oat, soya or other plant-based drinks (but not including rice drinks), which—

- (a) are fortified with calcium,
- (b) are unflavoured, and
- (c) do not contain free sugars;

“primary education” (“*addysg gynradd*”) has the meaning given to it by section 2(1) of the 1996 Act⁽³⁾;

(1) EUR 2004/853 to which there are amending instruments not relevant to these Regulations.

(2) S.I. 2002/254, amended by S.I. 2009/1182; there are other amending instruments but none is relevant to these Regulations.

(3) Section 2(1) was substituted by section 156(2) of the Education Act 2002 (c. 32).

“processed alternatives to meat and fish” (*“dewisiadau amgen wedi eu prosesu yn lle cig a physgod”*) means industrially produced processed non-meat and non-fish food products that attempt to mimic meat or fish products, such as mycoprotein sausages and burgers and plant based sausages and burgers but not including soya, mycoprotein or pea protein mince, chunks or pieces;

“pupil” (*“disgybl”*) has the meaning given to it by section 3(1) of the 1996 Act(1);

“pupil referral unit” (*“uned cyfeirio disgyblion”*) has the meaning given to it by section 19A of the 1996 Act(2);

“reception year” (*“blwyddyn derbyn”*) means a year group in which the majority of pupils attain the age of 5;

“red meat” (*“cig coch”*) means meat of mammalian species including beef, goat meat, lamb, mutton, pork, veal and venison but not including rabbit meat;

“registered pupil” (*“disgybl cofrestredig”*) means a child registered as a pupil at a maintained primary school in a register kept under section 434 of the 1996 Act;

“residential trip” (*“taith breswyl”*) has the meaning given to it by section 462(2) of the 1996 Act(3);

“sandwiches” (*“brechedanau”*) includes filled rolls and similar products which are ready to eat without further preparation;

“savory snacks” (*“byrbrydau sawrus”*) means pre-packaged savory items that are ready to eat without further preparation and consist of or include as a basic ingredient potatoes or other root vegetables, cereals, legumes, nuts or seeds, but does not include—

- (a) legumes, nuts, seeds or root vegetables with no added fat, salt or sugar,
- (b) plain unflavoured crackers, oatcakes or water biscuits, or
- (c) sandwiches;

“school breakfast” (*“brecwast ysgol”*) means food and drink provided for consumption by pupils on a school day before the start of the morning school session, or in the case of a community special school before or at the start of the morning school session;

(1) Section 3(1) was amended by section 57(1) and paragraph 9 of Schedule 7 to the Education Act 1997 (c. 44).

(2) Section 19A was inserted by paragraph 4 of Schedule 2 to the Curriculum and Assessment (Wales) Act 2021 (asc 4).

(3) Section 462(2) was amended by paragraph 7(2) of Schedule 2 to S.I. 2010/1158.

“school day” (*“diwrnod ysgol”*), in relation to a maintained primary school, means any day on which at that school there is at least one school session;

“school lunch” (*“cinio ysgol”*) means food and drink provided for consumption by pupils as their midday meal on a school day, whether involving a set meal or the selection of items by them;

“school premises” (*“mangre ysgol”*) means the premises of a maintained primary school;

“school session” (*“sesiwn ysgol”*), in relation to a maintained primary school, means a school session beginning and ending at such times as may be determined from time to time for that school in accordance with section 32C of the Education Act 2002⁽¹⁾;

“school year” (*“blwyddyn ysgol”*) has the meaning given to it by section 579(1) of the 1996 Act⁽²⁾;

“secondary education” (*“addysg uwchradd”*) has the meaning given to it by section 2(2) of the 1996 Act;

“specified meat product” (*“cynnyrch cig penodedig”*) has the meaning given to it by Schedule 1;

“supplementary bread” (*“bara atodol”*) means bread that is not part of a sandwich or of a set meal;

“sweetened baked products and desserts” (*“cynhyrchion pob wedi eu melysu a phwddinau wedi eu melysu”*) includes sweet pastry and sweet products containing pastry but does not include ambient or chilled yoghurt;

“vegetables” (*“llysiau”*) includes salad but does not include potatoes;

“week” (*“wythnos”*) means the five days from Monday to Friday;

“wholegrain” (*“grawn cyflawn”*) includes wholemeal;

“year 1” (*“blwyddyn 1”*) means a year group in which the majority of pupils attain the age of 6;

“year 2” (*“blwyddyn 2”*) means a year group in which the majority of pupils attain the age of 7;

“year 3” (*“blwyddyn 3”*) means a year group in which the majority of pupils attain the age of 8;

“year 4” (*“blwyddyn 4”*) means a year group in which the majority of pupils attain the age of 9;

(1) 2002 c. 32. Section 32C was inserted by section 42 of the Education (Wales) Act 2014 (anaw 5).

(2) The definition of “school year” in section 579(1) was inserted by paragraph 43 of Schedule 7 to the Education Act 1997 (c. 44).

“year 5” (“*blwyddyn 5*”) means a year group in which the majority of pupils attain the age of 10;

“year 6” (“*blwyddyn 6*”) means a year group in which the majority of pupils attain the age of 11;

“year group” (“*grŵp blwyddyn*”) means a group of pupils at a maintained primary school the majority of whom will, in a particular school year, attain the same age.

(2) Nothing in these Regulations applies to food or drink provided—

- (a) at fund-raising events;
- (b) for use in teaching food or drink preparation and cookery skills provided that any food or drink so prepared is not provided to registered pupils as part of a school breakfast or school lunch;
- (c) as part of any medically prescribed dietary requirements;
- (d) to registered pupils at a boarding school as part of an evening meal;
- (e) to registered pupils on a residential trip;
- (f) to registered pupils on the premises of a maintained school that does not provide primary education.

(3) These Regulations do not apply to food and drink provided to mark any religious or cultural occasion other than when the food and drink is provided as a school lunch.

(4) Where a maintained primary school provides primary and secondary education, any reference in regulations 3 to 5 to a registered pupil is a reference to an infant pupil or a junior pupil.

(5) References in these Regulations to food or drink provided by a local authority or the governing body of a maintained primary school include food or drink provided in pursuance of an agreement or other arrangement made by such an authority or body for the provision of food or drink.

(6) In the definition of “maintained school” in paragraph (1), the following expressions have the same meaning as given by section 20 of the School Standards and Framework Act 1998⁽¹⁾—

- (a) community school;
- (b) foundation school;
- (c) voluntary school;
- (d) community special school.

School breakfast in maintained primary schools

3.—(1) This regulation applies where a local authority or a governing body of a maintained primary school provides school breakfast to registered pupils whether on school premises or at a place other than school premises.

(2) The local authority or governing body must ensure that the requirements in Schedule 2 are complied with.

School lunch in maintained primary schools

4.—(1) This regulation applies where a local authority or a governing body of a maintained primary school provides a school lunch to registered pupils whether on school premises or at a place other than school premises.

(2) The local authority or governing body must ensure that the requirements in Schedule 3 and the nutritional standards in Schedule 5 are complied with.

(3) But where a school lunch referred to in paragraph (1) is provided to mark any religious or cultural occasion, paragraph (2) applies but as if “and the nutritional standards in Schedule 5” were omitted.

(4) Where a school is open for fewer than five days in any week the requirements in paragraphs 2(2), 3(2), 5(2) and (3), 7(1), 8(1) and 11(1) of Schedule 3 do not apply.

Provision of other food or drink in maintained primary schools

5.—(1) This regulation applies where a local authority or a governing body of a maintained primary school provides food or drink before 6pm on a school day otherwise than as part of a school breakfast or a

(1) 1998 c. 31. Section 20 was amended by paragraph 95 of Schedule 21 to the Education Act 2002 (c. 32), by paragraph 13 of Schedule 3 to the Education and Inspections Act 2006 (c. 40), by paragraph 10(2) and (3) of Schedule 2 to S.I. 2010/1158, and by paragraph 19(1) and (2) of Part 2 of Schedule 5 to the School Standards and Organisation (Wales) Act 2013 (anaw 1).

school lunch to registered pupils whether on school premises or at a place other than school premises.

(2) The local authority or governing body must ensure that the requirements in Schedule 4 are complied with.

Minor and consequential amendments to The Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013

6. The Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013(1) are amended as set out in Schedule 6.

Lynne Neagle

Cabinet Secretary for Education, one of the Welsh Ministers

12 December 2025

SCHEDULE 1 Regulation 2

Specified meat product

1.—(1) A specified meat product is a food falling within sub-paragraph (2) unless it falls within sub-paragraph (3).

- (2) (a) bacon;
- (b) burger consisting of a mixture of meat and other ingredients;
- (c) canned or tinned meat;
- (d) chorizo;
- (e) corned meat;
- (f) gammon;
- (g) ham;
- (h) meatballs;
- (i) pastrami;
- (j) pâté containing meat or liver of any mammalian or bird species;
- (k) salami, including pepperoni;
- (l) sausage consisting of a mixture of meat and other ingredients;
- (m) a food that contains one of the following as an ingredient whether or not the food also contains any other ingredient—
 - (i) mechanically separated meat;

(1) S.I. 2013/1984 (W. 194), amended by S.I. 2013/2750 (W. 267), S.I. 2014/2303 (W. 227), S.I. 2014/3087 (W. 308), S.I. 2019/463 (W. 111) and S.I. 2019/1094.

- (ii) the carpus, the heart, the muscles of the head (other than masseters), the tarsus, the tail or the tongue of any mammalian or bird species recognised as fit for human consumption;
 - (n) any other shaped or formed meat product consisting of a mixture of meat and other ingredients and not falling within paragraphs (a) to (m).
- (3) Food falling within sub-paragraph (2)(b), (h) or (n) is not a specified meat product if it is—
- (a) provided as part of a school lunch, and
 - (b) made using a mixture of meat and other ingredients—
 - (i) on school premises;
 - (ii) on premises owned or occupied by a local authority;
 - (iii) where the local authority or governing body of a maintained primary school have a contract with a third party to provide school lunches, on premises owned or occupied by that third party.

2. In this Schedule—

“any other shaped or formed meat product” (*“unrhyw gynnyrch arall o gig wedi ei siapio neu ei ffurfio”*) does not include a sliced cut of meat;

“ham” (*“ham”*) includes jambon de Paris, prosciutto, serrano ham and similar products;

“sausage” (*“selsigen”*) includes chipolata, corn dog, frankfurter, hot dog, sausage meat and similar products.

SCHEDULE 2 Regulation 3

School breakfast in maintained primary schools

1. Food and drink from each of the food and drink categories must be available on each school day.

2.—(1) Food and drink other than food and drink from the food and drink categories must not be provided.

(2) But plain water (still or carbonated) may be provided.

3. A registered pupil provided with school breakfast must be given the option to choose one item from each of the food and drink categories.

4. Any plain milk provided must be—

- (a) whole milk or semi-skimmed milk where the drink is provided to a registered pupil in a nursery class, and
- (b) semi-skimmed milk, 1% fat milk or skimmed milk where the drink is provided to a registered pupil in a reception year, year 1 or year 2 or to a junior pupil.

5. No salt is to be added to food, or to be made available to add to food, after the cooking process is complete.

6. In this Schedule—

“food and drink categories” (“*categoriâu bwyd a diod*”) means the food and drink categories listed in Table 1;

“reduced fat spreads” (“*taeniadau â llai o fraster*”) means spreads made from unsaturated vegetable oil, including olive, rapeseed or sunflower oil.

Table 1

Food and Drink Categories

Plain milk and plain plant-based drinks
 Cereals – not coated or flavoured with chocolate, cocoa powder or sugar or any combination of those ingredients
 Fruit and vegetables
 Breads (at least 50% wholegrain) and reduced fat spreads

SCHEDULE 3 Regulation 4

Food and drink provided as part of a school lunch in maintained primary schools

Interpretation

1. In this Schedule, “portion” means an amount of a particular food provided to a registered pupil as part of a school lunch.

Vegetables

2.—(1) At least two portions of vegetables must be provided each day.

(2) At least six different vegetables must be provided each week.

(3) In calculating the number of different vegetables provided under sub-paragraph (2), different vegetables provided as a single portion count as one vegetable.

Fruit

3.—(1) At least one portion of fruit must be provided each day.

(2) At least four different fruits must be provided each week.

(3) In calculating the number of different fruits provided under sub-paragraph (2), different fruits provided as a single portion count as one fruit.

Dessert portion of fruit or vegetables

4.—(1) Where provided, the following food must contain or be accompanied by a dessert portion of fruit or vegetables—

- (a) sweetened baked products and desserts;
- (b) cheese (with or without plain unflavoured crackers, oatcakes or water biscuits) provided at the end of a school lunch;
- (c) ambient or chilled yoghurt.

(2) A dessert portion of fruit or vegetables is—

- (a) at least 10g of dried fruit or at least 20g of any other fruits or vegetables where it is provided to an infant pupil;
- (b) at least 15g of dried fruit or at least 40g of any other fruits or vegetables where it is provided to a junior pupil.

(3) Where a dessert portion of fruit or vegetables is required under sub-paragraph (1), it must be provided in addition to the portions of fruit and vegetables provided under paragraphs 2(1) and 3(1).

(4) In this paragraph, “fruit or vegetables” means either fruit or vegetables or a combination of both.

Starchy carbohydrates

5.—(1) A portion of starchy carbohydrates must be provided each day.

(2) At least one portion of starchy carbohydrates provided each week must be noodles, pasta or rice containing a minimum of 50% wholegrain.

(3) At least three different starchy carbohydrates must be provided each week.

(4) In this paragraph, “starchy carbohydrates” includes—

- (a) bread,
- (b) couscous,
- (c) noodles,
- (d) pasta,
- (e) potatoes other than potatoes and potato products cooked in fat or oil, and

- (f) rice.

Bread

6.—(1) Supplementary bread with no added fat or oil must be available every day.

(2) All types of bread provided, except crumpets, garlic bread, naan bread, pizza bases and tea cakes, must be at least 50% wholegrain.

Fish

7.—(1) A portion of fish must be provided at least once each week.

(2) But at least one portion of fish provided every four weeks must be oily fish.

(3) Fish combined with at least one other ingredient to form a fish product must contain at least 50% fish, measured by the weight of the cooked ingredients.

(4) In this paragraph, “oily fish” includes anchovies, herring, kipper, mackerel, pilchards, salmon, sardines, trout and whitebait.

Red meat

8.—(1) A portion of red meat must be provided at least once each week.

(2) A portion of red meat must not be provided more than twice each week.

(3) In this paragraph, “red meat” does not include a specified meat product.

Specified meat products

9.—(1) A portion of a specified meat product must not be provided more than once each week.

(2) But—

- (a) sub-paragraph (1) does not apply to a portion of ham provided as part of a school lunch on a school trip, and
- (b) in calculating the number of times a portion of a specified meat product is provided each week, a portion of ham provided as part of a school lunch on a school trip must not form part of the calculation.

Processed alternatives to meat and fish

10. A portion of processed alternatives to meat and fish must not be provided more than twice each week.

Beans and pulses

11.—(1) Either beans or pulses or both must be provided as the main source of protein in a non-meat and non-fish school lunch at least once each week.

(2) A “non-meat and non-fish school lunch” in sub-paragraph (1) means a school lunch that is provided as an alternative to a school lunch providing meat or fish on the same school day.

Potato and potato products

12. A portion of potato or potato products cooked in fat or oil must not be provided more than twice each week, and where provided, no more than one portion may be deep-fried.

Deep-fried or flash-fried food or where coating contains oil

13.—(1) A portion of food in sub-paragraph (2) must not be provided more than once each week.

(2) Food that is—

- (a) deep-fried or flash-fried on school premises or during the manufacturing process, including prepared, coated, battered and breaded food products, or
- (b) coated or breaded where the coating or breadcrumb contains oil.

(3) “Food” in sub-paragraph (2) does not include potato or potato products.

Pastry and pastry products

14. A portion of pastry or products containing pastry (whether sweet or savoury) must not be provided more than once each week.

Sweetened baked products and desserts

15. A portion of sweetened baked products and desserts must not be provided more than three times each week, and where provided, no more than one may be a sweet pastry or a sweet product containing pastry.

Confectionery and savoury snacks

16.—(1) Confectionery and food containing confectionery must not be provided.

(2) Savoury snacks must not be provided.

Salt

17. No salt is to be added to food, or to be made available to add to food, after the cooking process is complete.

Condiments

18. The portion of any condiment made available to pupils must not exceed 10ml per condiment.

Drinks

19.—(1) Only the following drinks may be provided—

- (a) plain water (still or carbonated);
- (b) plain milk which must be—
 - (i) whole milk or semi-skimmed milk where the drink is provided to a registered pupil in a nursery class, and
 - (ii) semi-skimmed milk, 1% fat milk or skimmed milk where the drink is provided to a registered pupil in a reception year, year 1 or year 2 or to a junior pupil;
- (c) plain plant-based drinks.

(2) But fruit juice may be provided as a drink as part of a school lunch on a school trip.

SCHEDULE 4 Regulation 5

Requirements for food and drink provided otherwise than as part of a school breakfast or a school lunch

1. Either fruit or vegetables or both must be available in any place on school premises where food is provided.

2. The following food must not be provided—

- (a) red meat;
- (b) specified meat products;
- (c) processed alternatives to meat and fish;
- (d) potato and potato products cooked in fat or oil;
- (e) food described in paragraph 13(2) of Schedule 3;
- (f) pastry and products containing pastry;
- (g) sweetened baked products and desserts;
- (h) confectionery and food containing confectionery;
- (i) savoury snacks;
- (j) condiments.

3. No salt is to be added to food, or to be made available to add to food, after the cooking process is complete.

4. Only the following drinks may be provided—

- (a) plain water (still or carbonated);
- (b) plain milk which must be—
 - (i) whole milk or semi-skimmed milk where the drink is provided to a registered pupil in a nursery class, and
 - (ii) semi-skimmed milk, 1% fat milk or skimmed milk where the drink is provided to a registered pupil in a reception year, year 1 or year 2 or to a junior pupil;
- (c) plain plant-based drinks.

SCHEDULE 5 Regulation 4

**Nutritional standards for lunch in
maintained primary schools**

Interpretation

1.—(1) In this Schedule—

“excluded school lunch” (*“cinio ysgol wedi ei eithrio”*) is a school lunch consisting of food and drink that is estimated to be served to less than 1% of registered pupils served with a school lunch at—

- (a) a maintained primary school, or
- (b) a group of schools, where menus of school lunches are planned for a group of schools;

“group of schools” (*“grŵp o ysgolion”*) means two or more maintained primary schools;

“infant school lunch” (*“cinio ysgol i fabanod”*) means a school lunch provided to an infant pupil;

“junior school lunch” (*“cinio ysgol i ddisgyblion iau”*) means a school lunch provided to a junior pupil;

“menu cycle” (*“cylch bwydlenni”*) means a plan of menus for school lunches lasting for no less than one and no more than 4 weeks during a term;

“nutrient” (*“maethyn”*) means any substance listed in Table 2 or Table 3.

(2) Where a maintained primary school is closed on any day in a menu cycle, the calculations required under paragraphs 5 and 9 must be carried out as if the school were open on that day and as if the school lunches that would otherwise be planned for that day of the menu cycle were provided.

(3) Where school lunches are provided to mark any religious or cultural occasion, the calculations required under paragraphs 5 and 9 must be carried out as if those school lunches were not being provided and as if

the school lunches that would otherwise be planned for that day of the menu cycle were provided.

Use of formulas

2.—(1) The formulas set out in paragraphs 3(1) and 5(1) must be used—

- (a) for a maintained primary school where menus of infant school lunches are only planned for that maintained primary school;
- (b) for a group of schools where menus of infant school lunches are planned for a group of schools.

(2) The formulas set out in paragraphs 7(1) and 9(1) must be used—

- (a) for a maintained primary school where menus of junior school lunches are only planned for that maintained primary school;
- (b) for a group of schools where menus of junior school lunches are planned for a group of schools.

Average daily infant school lunch

3.—(1) The average daily infant school lunch for a maintained primary school or a group of schools must be calculated in accordance with the following formula—

$$\frac{A}{B}$$

Where—

“A” is the total amount of energy provided in all infant school lunches estimated to be served in a day;

“B” is the number of infant school lunches estimated to be served on that day.

(2) When calculating “A”, the following must not be included—

- (a) the total amount of energy provided in all excluded school lunches estimated to be served to infant pupils on that day, and
- (b) the total amount of energy provided in supplementary bread.

(3) When calculating “B”, the number of excluded school lunches estimated to be served to infant pupils on that day must not be included.

4. The average daily infant school lunch must provide an amount of energy which is within the range of 365 kilocalories to 493 kilocalories.

Average infant school lunch in a menu cycle

5.—(1) The average infant school lunch in a menu cycle for a maintained primary school or a group of schools must be calculated in accordance with the following formula—

$$\frac{C}{D}$$

Where—

“C” is the total amount of energy and nutrients provided in all infant school lunches estimated to be served in a menu cycle;

“D” is the number of infant school lunches estimated to be served during that menu cycle.

(2) When calculating “C”, the following must not be included—

- (a) the total amount of energy and nutrients provided in all excluded school lunches estimated to be served to infant pupils during that menu cycle, and
- (b) the total amount of energy and nutrient content provided in supplementary bread.

(3) When calculating “D”, the number of excluded school lunches estimated to be served to infant pupils during that menu cycle must not be included.

6. The average infant school lunch in a menu cycle must provide—

- (a) an amount of energy which is within the range of 408 kilocalories to 450 kilocalories,
- (b) no more than the maximum amounts of fat, saturated fat, free sugars and sodium shown in Table 2, and
- (c) at least the minimum amounts of all other nutrients shown in Table 2.

Table 2

<i>Nutrient</i>	<i>Minimum or Maximum</i>	<i>Amount</i>
Fat (grams)	Max	16.8
Saturated fat (grams)	Max	5.3
Carbohydrates (grams)	Min	57.3
Free sugars (grams)	Max	5.7
Fibre (grams)	Min	5.3
Protein (grams)	Min	5.91
Iron (milligrams)	Min	2.1
Zinc (milligrams)	Min	2.3

Calcium (milligrams)	Min	157.5
Vitamin A (micrograms)	Min	140
Vitamin C (milligrams)	Min	10.5
Folate (micrograms)	Min	35
Sodium (milligrams)	Max	360

Average daily junior school lunch

7.—(1) The average daily junior school lunch for a maintained primary school or group of schools must be calculated in accordance with the following formula—

$$\frac{E}{F}$$

Where—

“E” is the total amount of energy provided in all junior school lunches estimated to be served in a day;

“F” is the number of junior school lunches estimated to be served on that day.

(2) When calculating “E”, the following must not be included—

- (a) the total amount of energy provided in all excluded school lunches estimated to be served to junior pupils on that day, and
- (b) the total amount of energy provided in supplementary bread.

(3) When calculating “F”, the number of excluded school lunches estimated to be served to junior pupils on that day must not be included.

8. The average daily junior school lunch must provide an amount of energy which is within the range of 449 kilocalories to 607 kilocalories.

Average junior school lunch in a menu cycle

9.—(1) The average junior school lunch in a menu cycle for a maintained primary school or a group of schools must be calculated in accordance with the following formula—

$$\frac{G}{H}$$

Where—

“G” is the total amount of energy and nutrients provided in all junior school lunches estimated to be served during a menu cycle;

“H” is the number of junior school lunches estimated to be served during that menu cycle.

(2) When calculating “G”, the following must not be included—

- (a) the total amount of energy and nutrients provided in all excluded school lunches estimated to be served to junior pupils during that menu cycle, and
- (b) the total amount of energy and nutrients provided in supplementary bread.

(3) When calculating “H”, the number of excluded school lunches estimated to be served to junior pupils during that menu cycle must not be included.

10. The average junior school lunch in a menu cycle must provide—

- (a) an amount of energy which is within the range of 502 to 554 kilocalories,
- (b) no more than the maximum amounts of fat, saturated fat, free sugars and sodium shown in Table 3, and
- (c) at least the minimum amounts of all other nutrients shown in Table 3.

Table 3

<i>Nutrient</i>	<i>Minimum or Maximum</i>	<i>Amount</i>
Fat (grams)	Max	20.5
Saturated fat (grams)	Max	6.5
Carbohydrates (grams)	Min	70.4
Free sugars (grams)	Max	7
Fibre (grams)	Min	6
Protein (grams)	Min	8.5
Iron (milligrams)	Min	3
Zinc (milligrams)	Min	2.5
Calcium (milligrams)	Min	193
Vitamin A (micrograms)	Min	175
Vitamin C (milligrams)	Min	10.5
Folate (micrograms)	Min	53
Sodium (milligrams)	Max	499

SCHEDULE 6 Regulation 6

**Minor and consequential amendments to
The Healthy Eating in Schools**

(Nutritional Standards and Requirements) (Wales) Regulations 2013

1. The Healthy Eating in Schools (Nutritional Standards and Requirements) (Wales) Regulations 2013 are amended as set out below.

2.—(1) In regulation 2(1)—

(a) in the appropriate place in alphabetical order, insert—

““maintained secondary school” (“*ysgol uwchradd a gynhelir*”) means a community, foundation or voluntary school, a community special school or a pupil referral unit in Wales that provides secondary education (whether or not it also provides other kinds of education);”;

““school year” (“*blwyddyn ysgol*”) has the meaning given to it by section 579(1) of the 1996 Act(1);”;

““year 6” (“*blwyddyn 6*”) means a year group in which the majority of pupils attain the age of 11;”;

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

(b) in the definition of “boarding school”, after “maintained” insert “secondary”;

(c) in the definition of “evening meal”, omit “maintained”;

(d) for the definition of “fruit juice”, substitute—

““fruit juice” (“*sudd ffrwythau*”) means—

(a) a product that complies with the specification in Schedule 2 (specification for fruit juice) to the Fruit Juices and Fruit Nectars (Wales) Regulations 2013(2), or

(b) a product that complies with the specification in Schedule 3 (specification for fruit juice from concentrate) to the Fruit Juices and Fruit Nectars (Wales) Regulations 2013;”;

(e) omit the definitions of—

(i) “junior pupil”;

(ii) “maintained nursery school”;

(1) The definition of “school year” in section 579(1) was inserted by paragraph 43 of Schedule 7 to the Education Act 1997 (c. 44).

(2) S.I. 2013/2750 (W. 267), to which there are amendments not relevant to these Regulations.

- (iii) “maintained school”;
- (iv) “milk”;
- (v) “primary school”;
- (f) for the definition of “relevant European Union Regulations” substitute—
 - ““relevant assimilated direct legislation” (“*deddfwriaeth uniongyrchol a gymathwyd berthnasol*”) means—
 - (a) Regulation (EC) No 1333/2008 of the European Parliament and of the Council on food additives⁽¹⁾;
 - (b) Regulation (EC) No 1334/2008 of the European Parliament and of the Council on flavourings and certain food ingredients with flavouring properties for use in and on foods⁽²⁾”;
- (g) in the definition of “savoury snacks”—
 - (i) after “means” insert “pre-packaged items, excluding confectionery, sandwiches, cakes, biscuits, nuts and seeds, that”;
 - (ii) in sub-paragraph (a), omit the words from “pre-packaged” to “which”;
- (h) in the definition of “school breakfast”—
 - (i) omit “on school premises”;
 - (ii) omit “or foundation”;
- (i) in the definition of “school day” and “school premises”, after “maintained” insert “secondary”;
- (j) omit the definitions of—
 - (i) “secondary school”;
 - (ii) “senior pupil”.

(2) After regulation 2(2) insert—

“(3) Where a maintained secondary school provides both primary education and secondary education, nothing in these Regulations applies to food or drink provided to pupils in year 6 or below.”

3. In regulation 4, after “maintained”, in each place it occurs (including the heading), insert “secondary”.

4. Omit regulation 5.

5. In regulation 6—

- (a) in the heading, omit “primary and”;

(1) EUR 2008/1333, relevant amending instruments are S.I. 2019/860, S.I. 2023/343 (W. 50), S.I. 2024/741 (W. 102) and S.I. 2025/361.

(2) EUR 2008/1334, relevant amending instruments are S.I. 2019/860, S.I. 2023/343 (W. 50), S.I. 2024/741 (W. 102) and S.I. 2025/361.

- (b) in paragraph (1), after “maintained”, in both places it occurs, insert “secondary”;
- (c) omit paragraphs (3) and (4).

6. In regulation 7—

- (a) after “maintained”, in both places it occurs (including the heading), insert “secondary”;
- (b) omit paragraph (3).

7. In regulation 8, after “maintained”, in each place it occurs (including the heading), insert “secondary”.

8. In Schedule 1—

- (a) in the heading, after “maintained”, insert “secondary”;
- (b) omit paragraph 1;
- (c) in paragraph 3, omit “to pupils in maintained schools or persons on the premises of maintained schools”.

9. Omit Schedule 2.

10. In Schedule 3—

- (a) in the heading, omit “primary and”;
- (b) omit paragraph 1;
- (c) in paragraph 2—
 - (i) omit sub-paragraph (1);
 - (ii) in sub-paragraph (2), omit “in secondary schools”;
 - (iii) in sub-paragraph (3), for “sub-paragraphs (1) and (2)” substitute “sub-paragraph (2)”;
- (d) in paragraph 3(3)—
 - (i) omit paragraph (a);
 - (ii) in paragraph (b), omit “in secondary schools,”;
- (e) in paragraph 4(1)—
 - (i) omit paragraph (a) and the “and” after it;
 - (ii) in paragraph (b), omit “in secondary schools”;
- (f) in paragraph 5(2), for “paragraph (1) is provided in secondary schools” substitute “sub-paragraph (1) is provided”;
- (g) in paragraph 7—
 - (i) omit sub-paragraph (a);
 - (ii) in sub-paragraph (b), omit “in secondary schools”;
- (h) in paragraph 8—
 - (i) in sub-paragraph (2), for “paragraph” substitute “sub-paragraph”;

- (ii) in sub-paragraph (3), for “paragraphs” substitute “sub-paragraphs”;
- (i) in paragraph 9, in the heading, in the English language text, for “Confectionary” substitute “Confectionery”.

11. In Schedule 4—

- (a) in the heading, omit “primary and”;
- (b) for the definition of “group of schools” substitute—
 - ““group of schools” (*grŵp o ysgolion*) means two or more maintained secondary schools which are either all co-educational, all boys’ single sex or all girls’ single sex schools;”;
- (c) in paragraph 2(1), after “for a” insert “maintained secondary”;
- (d) in Table C—
 - (i) omit the third column;
 - (ii) in the fourth column, in the heading, after “provided in” insert “maintained”.

12. In Schedule 5—

- (a) in the heading, after “maintained” insert “secondary”;
- (b) in the words before the table, for “primary and secondary schools and maintained nursery schools” substitute “secondary schools”;
- (c) in Table D—
 - (i) omit the second column and the third column;
 - (ii) in the fourth column, in the heading, for “Secondary schools” substitute “Maintained secondary schools”;
 - (iii) in the entry for plain milk, in the fifth column, for the words from “Milk provided in nursery schools” to “secondary schools” substitute “Milk provided”;
 - (iv) in the sixth column, for “relevant European Union Regulations defined in regulation 2 of these Regulations”, in each place those words occur, substitute “relevant assimilated direct legislation”.

13. In Schedule 6—

- (a) in the heading, after “maintained” insert “secondary”;
- (b) in Table E—
 - (i) in the first column, in the English language text, for “Confectionary” substitute “Confectionery”;

- (ii) in the first column, for “Meat products” substitute “Products containing meat”;
- (iii) omit the second column and the third column;
- (iv) in the fourth column, in the heading, for “Secondary schools” substitute “Maintained secondary schools”.