

*Changes to legislation: There are currently no known outstanding effects for the Education Act 2011, Cross Heading: EA 2002. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 8

#### ABOLITION OF THE QCDA: CONSEQUENTIAL AMENDMENTS

##### EA 2002

11 EA 2002 is amended as follows.

##### Commencement Information

- I1** Sch. 8 para. 11 in force at 15.1.2012 for specified purposes by S.I. 2012/84, art. 2  
**I2** Sch. 8 para. 11 in force at 1.4.2012 in so far as not already in force by S.I. 2012/924, art. 2

12 In section 85(9) (curriculum requirements for the fourth key stage: duty to have regard to guidance) for “Qualifications and Curriculum Development Agency” substitute “ Secretary of State ”.

##### Commencement Information

- I3** Sch. 8 para. 12 in force at 1.4.2012 by S.I. 2012/924, art. 2

13 In section 87(7) (establishment of the National Curriculum for England by order: persons on whom assessment arrangements order may confer or impose functions) omit paragraph (c) (but not the “and” immediately after it).

##### Commencement Information

- I4** Sch. 8 para. 13 in force at 1.4.2012 by S.I. 2012/924, art. 2

14 (1) Section 90 (development work and experiments) is amended as follows.

(2) In subsection (3)—

(a) after paragraph (a) insert “ or ”;

(b) omit paragraph (c) (and the “or” immediately before it).

(3) In subsection (4) omit the words after “by the governing body”.

(4) In subsection (5), for paragraph (b) substitute—

“(b) a person designated for the purposes of this subsection by the Secretary of State.”

(5) In subsection (5A) for “the reviewing body” substitute “ a person designated for the purposes of this subsection by the Secretary of State ”.

(6) Omit subsection (5B).

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(7) In subsection (5C) for “subsection (5B)” substitute “ subsection (5)(b) or (5A) ”.

**Commencement Information**

**I5** Sch. 8 para. 14 in force at 1.4.2012 by S.I. 2012/924, art. 2

15 For section 96 substitute—

**“96 Procedure for making certain orders and regulations**

- (1) This section applies where the Secretary of State proposes to make—
  - (a) an order under section 82(4), 84(6) or 87(3)(a) or (b), or
  - (b) regulations under section 91.
- (2) The Secretary of State must give notice of the proposal to such of the following as appear to the Secretary of State to be concerned with the proposal—
  - (a) associations of local authorities,
  - (b) bodies representing the interests of school governing bodies, and
  - (c) organisations representing school teachers.
- (3) The Secretary of State must also give notice of the proposal to any other persons with whom consultation appears to the Secretary of State to be desirable.
- (4) The Secretary of State must give the bodies and other persons mentioned in subsections (2) and (3) a reasonable opportunity of submitting evidence and representations as to the issues arising from the proposal.
- (5) After considering any evidence and representations submitted in pursuance of subsection (4), the Secretary of State must publish, in such manner as, in the Secretary of State's opinion, is likely to bring them to the notice of persons with a special interest in education—
  - (a) a draft of the proposed order or regulations and any associated document, and
  - (b) a summary of the views expressed during the consultation.
- (6) The Secretary of State must allow a period of at least one month beginning with the publication of the draft of the proposed order or regulations for the submission of any further evidence and representations as to the issues arising.
- (7) When the period allowed has expired, the Secretary of State may make the order or regulations, with or without modifications.”

**Commencement Information**

**I6** Sch. 8 para. 15 in force at 15.1.2012 by S.I. 2012/84, art. 2

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