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STATUTORY INSTRUMENTS

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**2001 No. 3785**

**EDUCATION, ENGLAND**

**The Education (School Attendance Targets)  
(England) (Amendment) Regulations 2001**

<i>Made</i>	- - - -	<i>27th November 2001</i>
<i>Laid before Parliament</i>		<i>29th November 2001</i>
<i>Coming into force</i>	- -	<i>1st January 2002</i>

In exercise of the powers conferred on the Secretary of State by sections 63 and 138(7) of the School Standards and Framework Act 1998<sup>(1)</sup>, the Secretary of State for Education and Skills hereby makes the following Regulations:

**Citation and commencement**

1.—(1) These Regulations may be cited as the Education (School Attendance Targets) (England) (Amendment) Regulations 2001, and shall come into force on 1st January 2002.

(2) These Regulations apply only in relation to England.

**Amendment**

2. The Education (School Attendance Targets) (England) Regulations 1999<sup>(2)</sup> shall be amended as follows.

3. In regulation 3(1) (Duty to set school attendance targets), for “of the three school years” there shall be substituted “school year specified in the notice”.

4. In regulation 4 (Notice by the Secretary of State)—

- (a) in paragraph (1)(b), for “of the three school years” there shall be substituted “school year specified in the notice”;
- (b) in paragraph (2)(b), for “of the three school years” there shall be substituted “school year specified in the notice”.

5. In regulation 5(1) (Condition precedent) the words “by at least 3 percentage points” shall be deleted.

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(1) 1998 c. 31; by virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672), the powers conferred by these provisions are exercisable by the Secretary of State only in relation to England. For the definition of “regulations” see section 142(1).

(2) S.I. 1999/397.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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27th November 2001

*Catherine Ashton*  
Parliamentary Under Secretary of State,  
Department for Education and Skills

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Education (School Attendance Targets) (England) Regulations 1999 (“the principal Regulations”) in relation to England only on 1st January 2002.

Under the principal Regulations the Secretary of State may give written notice to the governing body of a maintained school to set an attendance target for each of the immediately following three school years.

These Regulations amend the principal Regulations to allow the Secretary of State to require an attendance target to be set for each of the school years immediately following the notice as she may specify.

It is a condition precedent under the principal Regulations that such notice may only be given where a school’s unauthorised absence rate exceeds the national average by at least three percentage points in each of the immediately preceding two school years.

These Regulations amend the condition precedent by allowing written notice to be given whenever a school’s unauthorised absence rate has exceeded the national average in each of the immediately preceding two school years.