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## STATUTORY INSTRUMENTS

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### 2007 No. 1271 (C. 56)

## EDUCATION, ENGLAND

### The Education and Inspections Act 2006 (Commencement No.4 and Transitional Provisions and Amendment) Order 2007

Made - - - - 19th April 2007

The Secretary of State for Education and Skills, in exercise of the powers conferred by sections 181 and 188(3) of the Education and Inspections Act 2006<sup>(1)</sup>, makes the following Order:

#### Citation and interpretation

1.—(1) This Order may be cited as the Education and Inspections Act 2006 (Commencement No. 4 and Transitional Provisions and Amendment) Order 2007.

(2) In this Order—

“the Act” means the Education and Inspections Act 2006;

“EA 1996” means the Education Act 1996<sup>(2)</sup>; and

“EA 2002” means the Education Act 2002<sup>(3)</sup>.

#### Provisions coming into force on 25th May 2007

2. Section 38 (1) of the Act comes into force in relation to England only on 25th May 2007 except in so far as it inserts section 21 (5) (a) and (b), (8) and (9) (b) of EA 2002.

3. Section 38 (2) of the Act comes into force in relation to England only on 25th May 2007.

#### Amendment of the Education and Inspections Act 2006 (Commencement No.3 and Transitional Provisions and Savings) Order 2007

4. In article 7(n) of the Education and Inspections Act 2006 (Commencement No.3 and Transitional Provisions and Savings) Order 2007<sup>(4)</sup>, omit “, 19”.

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(1) 2006 c.40.

(2) 1996 c.56.

(3) 2002 c.32.

(4) SI 2007/935 (C.37).

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### **Transitional provisions and savings**

5. Despite the coming into force of section 56 of the Act in relation to England on 25th May 2007, section 451(3) of EA 1996 continues to have effect, as if section 56 was not in force, in relation to tuition in playing a musical instrument provided before 1st September 2007.

19th April 2007

*Jim Knight*  
Minister of State  
Department for Education and Skills

## EXPLANATORY NOTE

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

This Order is the fourth commencement order made under the Education and Inspections Act 2006. Articles 2 and 3 contain the provisions of the Act to be commenced. The provisions are to be commenced in relation to England only; the National Assembly for Wales has the power to commence the provisions in relation to Wales.

The partial commencement of section 38 (1) inserts new section 21 (6), (7) and (9) (a) of EA 2002. Section 38 (2) inserts new section 28 (4A), (4B) and (4C) of EA 2002. These sections require the governing bodies of maintained schools to have regard to any relevant children and young people's plan and also to any views expressed by parents of registered pupils when discharging their functions relating to the conduct of the school and also when exercising their power to provide community facilities.

Article 4 amends the Education and Inspections Act 2006 (Commencement No.3 and Transitional Provisions and Savings) Order 2007. Article 5 contains transitional provisions.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

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

The following provisions of this Act have been brought into force by commencement orders made before the date of this Order:

<i>Provisions</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 1, in relation to England only	25th May 2007	<a href="#">SI 2007/935</a>
Sections 2 and 3	25th May 2007	<a href="#">SI 2007/935</a>
Section 4 in relation to England	27th February 2007	<a href="#">SI 2006/3440</a>
Section 5 (partially), in relation to England	8th February 2007	<a href="#">SI 2006/3440</a>
Section 5, partially	1st April 2007	<a href="#">SI 2007/935</a>
Sections 7 to 17	25th May 2007	<a href="#">SI 2007/935</a>
Section 18 (1) to (3)	1st April 2007	<a href="#">SI 2007/935</a>
Section 18 (4) and (5)	25th May 2007	<a href="#">SI 2007/935</a>
Sections 19 and 20	25th May 2007	<a href="#">SI 2007/935</a>
Sections 21 to 24	1st April 2007	<a href="#">SI 2007/935</a>
Section 25 (5), (6) and (7)	1st April 2007	<a href="#">SI 2007/935</a>
Section 25 (1) to (4) and (8)	25th May 2007	<a href="#">SI 2007/935</a>
Section 26	1st April 2007	<a href="#">SI 2007/935</a>

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<i>Provisions</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 27 (1) to (6) and (8)	1st April 2007	<a href="#">SI 2007/935</a>
Section 27 (7)	25th May 2007	<a href="#">SI 2007/935</a>
Sections 28 to 30	25th May 2007	<a href="#">SI 2007/935</a>
Sections 31 and 32	1st April 2007	<a href="#">SI 2007/935</a>
Section 33, partially	1st April 2007	<a href="#">SI 2007/935</a>
Section 33, partially	25th May 2007	<a href="#">SI 2007/935</a>
Section 34	25th May 2007	<a href="#">SI 2007/935</a>
Section 35, partially	1st April 2007	<a href="#">SI 2007/935</a>
Section 35, partially	25th May 2007	<a href="#">SI 2007/935</a>
Section 36	25th May 2007	<a href="#">SI 2007/935</a>
Section 39 in relation to England	27th February 2007	<a href="#">SI 2006/3440</a>
Section 40 in relation to England	12th December 2006	<a href="#">SI 2006/2990</a>
Section 41	27th February 2007	<a href="#">SI 2006/3440</a>
Section 42	27th February 2007	<a href="#">SI 2006/3440</a>
Section 43 in relation to England	8th January 2007	<a href="#">SI 2006/3400</a>
Section 44 in relation to England	27th February 2007	<a href="#">SI 2006/3400</a>
Section 46	27th February 2007	<a href="#">SI 2006/3400</a>
Section 47 in relation to England	27th February 2007	<a href="#">SI 2006/3400</a>
Section 45 in relation to England	8th January 2007	<a href="#">SI 2006/3400</a>
Section 48	8th January 2007	<a href="#">SI 2006/3400</a>
Section 49	8th January 2007	<a href="#">SI 2006/3400</a>
Section 50	8th January 2007	<a href="#">SI 2006/3400</a>
Section 51	8th January 2007	<a href="#">SI 2006/3400</a>
Section 53	27th February 2007	<a href="#">SI 2006/3400</a>
Section 54 (1), (2) and (3) (b)	8th January 2007	<a href="#">SI 2006/3400</a>
Section 54, partially	25th May 2007	<a href="#">SI 2007/935</a>
Section 56 in relation to England	25th May 2007	<a href="#">SI 2007/935</a>
Section 57 in relation to England	8th February 2007	<a href="#">SI 2006/3400</a>

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<i>Provisions</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Sections 59 to 73	1st April 2007	<a href="#">SI 2007/935</a>
Section 74 (4)	1st April 2007	<a href="#">SI 2007/935</a>
Section 76	1st April 2007	<a href="#">SI 2007/935</a>
Section 77 (1), partially	1st April 2007	<a href="#">SI 2007/935</a>
Sections 78 to 80	1st April 2007	<a href="#">SI 2007/935</a>
Section 83	1st April 2007	<a href="#">SI 2007/935</a>
Section 84, partially	1st April 2007	<a href="#">SI 2007/935</a>
Section 85, partially	1st April 2007	<a href="#">SI 2007/935</a>
Sections 88 to 96 in relation to England	1st April 2007	<a href="#">SI 2007/935</a>
Section 112 (1) to (3)	12th December 2006	<a href="#">SI 2006/2990</a>
Section 112 (4), partially	12th December 2006	<a href="#">SI 2006/2990</a>
Section 112 (4), partially	1st April 2007	<a href="#">SI 2007/935</a>
Sections 113 to 115	1st April 2007	<a href="#">SI 2007/935</a>
Section 116 (1) (a) and (b)	12th December 2006	<a href="#">SI 2006/2990</a>
Section 116 (1) (c) and (2)	1st April 2007	<a href="#">SI 2007/935</a>
Section 117	12th December 2006	<a href="#">SI 2006/2990</a>
Sections 118 to 153, partially	1st April 2007	<a href="#">SI 2007/935</a>
Section 155, partially	1st April 2007	<a href="#">SI 2007/935</a>
Section 157	1st April 2007	<a href="#">SI 2007/935</a>
Section 158, partially	12th December 2006	<a href="#">SI 2006/2990</a>
Section 158, partially	1st April 2007	<a href="#">SI 2007/935</a>
Section 159	12th December 2006	<a href="#">SI 2006/2990</a>
Section 160	28th March 2007	<a href="#">SI 2007/935</a>
Section 163	8th January 2007	<a href="#">SI 2006/3400</a>
Section 164 in relation to England	28th March 2007	<a href="#">SI 2007/935</a>
Sections 165 to 166 in relation to England	1st April 2007	<a href="#">SI 2007/935</a>
Section 173	8th January 2007	<a href="#">SI 2006/3400</a>
Section 176	1st April 2007	<a href="#">SI 2007/935</a>
Section 184, partially	12th December 2006	<a href="#">SI 2006/2990</a>
Section 184 (partially), in relation to England	8th January 2007	<a href="#">SI 2006/3400</a>

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<i>Provisions</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Section 184, partially	8th January 2007	SI 2006/3400
Section 184 (partially), in relation to England	8th February 2007	SI 2006/3400
Section 184 (partially) in relation to England	27th February 2007	SI 2006/3400
Section 184, partially	27th February 2007	SI 2006/3400
Section 184 (partially) in relation to England	1st April 2007	SI 2007/935
Section 184, partially	1st April 2007	SI 2007/935
Section 184 (partially) in relation to England	25th May 2007	SI 2007/935
Section 184, partially	25th May 2007	SI 2007/935
Schedule 2, partially	1st April 2007	SI 2007/935
Schedule 2, partially	25th May 2007	SI 2007/935
Schedule 3	25th May 2007	SI 2007/935
Schedule 4	25th May 2007	SI 2007/935
Schedule 5 in relation to England	8th February 2007	SI 2006/3400
Schedule 6	1st April 2007	SI 2007/935
Schedule 7	1st April 2007	SI 2007/935
Schedule 9	1st April 2007	SI 2007/935
Schedule 10, partially	1st April 2007	SI 2007/935
Schedule 11, partially	12th December 2006	SI 2006/2990
Schedule 11, partially	1st April 2007	SI 2007/935
Schedules 12 to 14	1st April 2007	SI 2007/935
Schedule 15, partially	12th December 2006	SI 2006/2990
Schedule 15, partially	1st April 2007	SI 2007/935
Schedule 18, partially	12th December 2006	SI 2006/2990
Schedule 18 (partially), in relation to England	8th January 2007	SI 2006/3400
Schedule 18, partially	8th January 2007	SI 2006/3400
Schedule 18 (partially), in relation to England	8th February 2007	SI 2006/3400
Schedule 18 (partially) in relation to England	1st April 2007	SI 2007/935
Schedule 18, partially	1st April 2007	SI 2007/935

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<i>Provisions</i>	<i>Date of Commencement</i>	<i>S.I. No</i>
Schedule 18 (partially) in relation to England	25th May 2007	<a href="#">SI 2007/935</a>
Schedule 18, partially	25th May 2007	<a href="#">SI 2007/935</a>