

## SCHEDULES

### SCHEDULE 3

#### ESTABLISHMENT ETC. OF SCHOOLS: CONSEQUENTIAL AMENDMENTS

##### *The Education Act 1944*

1 In section 16(2) of the Education Act 1944 for the words " subsection (2) of section thirteen of this Act" there shall be substituted the words

“section 13 of the Education Act 1980”.

2 In section 17(6) of that Act for the words " section 13 of this Act" there shall be substituted the words

“section 13 of the Education Act 1980”.

3 In section 85 of that Act for subsections (2) and (3) there shall be substituted—

“(2) Any intention on the part of a local education authority that a school for providing primary or secondary education (other than a nursery school or a special school) should be vested in the authority as trustees shall be treated for the purposes of subsection (1) of section 12 of the Education Act 1980 as an intention on the part of the authority to maintain the school as a county school; and accordingly proposals for that purpose shall be published and submitted as required by that section, and the other provisions of that section and of sections 14 and 16 of that Act shall apply as in a case where a local education authority intend to maintain a school as a county school.

(3) Any school for providing primary or secondary education which in accordance with subsection (2) above is vested in a local education authority as trustees shall be a county school.”

4 In section 102 of that Act for the words " section 13 of this Act" there shall be substituted the words

“section 13 of the Education Act 1980”.

5 In paragraph 5 of Schedule 3 to that Act for the words " subsection (7) of section thirteen of this Act" there shall be substituted the words

“section 13(6) of the Education Act 1980”.

##### *The Education Act 1946*

6 In section 1(1) of the Education Act 1946 for the words " section thirteen of the Education Act 1944 " there shall be substituted the words

“section 13 of the Education Act 1980”.

7 In section 2(2) of that Act for the words " section thirteen of the principal Act" there shall be substituted the words

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*Status: This is the original version (as it was originally enacted).*

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“section 12 or 13 of the Education Act 1980”.

8 In paragraph 1(a) of Schedule 1 to that Act for the words " section thirteen of the principal Act" there shall be substituted the words

“section 13 of the Education Act 1980”.

*The Education (Miscellaneous Provisions) Act 1953*

9 In section 2(a) of the Education (Miscellaneous Provisions) Act 1953 for the words " subsection (2) of section thirteen of the principal Act" there shall be substituted the words

“section 13 of the Education Act 1980”.

*The London Government Act 1963*

10 In subsection (5) of section 31 of the London Government Act 1963 for the words " the Education Acts 1944 to 1968 " there shall be substituted the words

“the Education Acts 1944 to 1980”

“section 12, 13 or 15 of the Education Act 1980”.

*The Education Act 1964*

11 In section 1(1) of the Education Act 1964 for the words " section 13 of the Education Act 1944 " there shall be substituted the words

“section 12 or 13 of the Education Act 1980”.

12 For section 1(2) of that Act there shall be substituted—

“(2) The Secretary of State shall make regulations for determining, or enabling him to determine, whether a school in respect of which proposals making such provision as is mentioned in the preceding subsection are implemented is to be deemed for the purposes of the Education Act 1944 and the other enactments relating to education to be a primary or a secondary school.”

*The Education Act 1967*

13 In section 1(2)(a) of the Education Act 1967 for the words " section 13(2) of the Education Act 1944 " there shall be substituted the words

“section 13 of the Education Act 1980”.

14 In section 3 of that Act for the words "persons other than a local education authority submit proposals to the Secretary of State under section 13 of the Education Act 1944 " there shall be substituted the words

“persons submit proposals to the Secretary of State under section 13 of the Education Act 1980”.

*The Education Act 1968*

- 15 In section 1(1) of the Education Act 1968 after the words "section 13 of the Education Act 1944" there shall be inserted the words  
"or section 12 of the Education Act 1980".
- 16 In section 3(4) of that Act for the words " section 13 of the Education Act 1944 " there shall be substituted the words  
"section 13 of the Education Act 1980".

*The Education Act 1973*

- 17 In section 1(2)(a) of the Education Act 1973 for the words " proposals approved or order made by him under section 13 or 16 of the Education Act 1944" there shall be substituted the words  
"order made by him under section 16 of the Education Act 1944 or proposals falling to be implemented under section 12 or 13 of the Education Act 1980".

*The Sex Discrimination Act 1975*

- 18 In paragraph 1 of Schedule 2 to the Sex Discrimination Act 1975 for the words " under section 13 of the Education Act 1944 (as set out in Schedule 3 to the Education Act 1968) a responsible body submits to the Secretary of State, in accordance with subsection (1) or (2) of that section " there shall be substituted the words  
"under the provisions of section 12 or 13 of the Education Act 1980 a responsible body submits to the Secretary of State".