



Education Reform Act 1988

1988 CHAPTER 40

PART I

SCHOOLS

CHAPTER II

ADMISSION OF PUPILS TO COUNTY AND VOLUNTARY SCHOOLS

31 Consequential provisions

- (1) Section 15 of the 1980 Act (which is superseded by the preceding provisions of this Chapter) shall cease to have effect, and in section 16 of that Act—
 - (a) in subsection (1), for “15” there shall be substituted “14”;
 - (b) in subsection (3), for “sections 12 and 15” there shall be substituted “section 12”; and
 - (c) in subsection (3A) (inserted in that section by paragraph 81 of Schedule 12 to this Act), for “13 or 15” there shall be substituted “or 13”.
- (2) In section 8(3) of that Act (particulars of admission arrangements required to be published under that section)—
 - (a) for paragraph (a) there shall be substituted the following paragraph—
 - “(a) in the case of each school to which the arrangements relate, the admission number applicable in each school year in relation to the age group in which pupils are normally admitted or, if there is more than one such group, the admission number so applicable in relation to each such group;”;
 - (b) at the end there shall be added the following—

“In paragraph (a) above, “admission number” means, in relation to any school year and age group, the standard number applying under section 27 of the Education Reform Act 1988 to the school in question in relation to

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that year and age group or the number fixed in accordance with section 26 of that Act as the number of pupils in that age group it is intended to admit to the school in that school year, whichever is the greater.”

(3) In section 9 of that Act (provisions of sections 6, 7 and 8 of that Act, which relate to parental preferences and admission arrangements, excluded from applying in relation to nursery or special schools, etc.)—

- (a) in subsection (1), at the beginning there shall be inserted the words “Subject to subsection (1A) below”, and the words from “except” to the end shall be omitted; and
- (b) after that subsection there shall be inserted the following subsection—

“(1A) Where the arrangements for the admission of pupils to a school maintained by a local education authority provide for the admission to the school of children who will not have attained the age of five years at the time of their proposed admission—

- (a) those sections shall have effect in relation to the admission of such pupils to the school otherwise than for nursery education; and
- (b) the transfer to a reception class at the school of children previously admitted to the school for nursery education shall be treated for the purposes of those sections as the admission of pupils to the school.”

(4) In section 12 of that Act (establishment, discontinuance and alteration of schools by local education authorities)—

- (a) in subsection (2) the words from “excluding” to the end shall be omitted; and
- (b) after that subsection there shall be inserted the following subsection—

“(2A) For the purposes of subsection (2) above—

- (a) pupils intended to be admitted to the school for nursery education shall be disregarded; and
- (b) pupils already so admitted intended to be transferred to a reception class at the school shall be treated as intended to be admitted to the school on their transfer.”

(5) In section 13 of that Act (establishment and alteration of voluntary schools)—

- (a) for the words “Subsection (2)” there shall be substituted the words “Subsections (2) and (2A)”;
- (b) for the words “it applies” there shall be substituted the words “they apply”; and
- (c) after the word “reference” there shall be inserted the words “in subsection (2)”.

(6) In section 38 of that Act, after subsection (5) there shall be inserted the following subsection—

“(5A) For the purposes of this Act—

- (a) children are to be regarded as admitted to a school for nursery education if they are or are to be placed on admission in a nursery class; and
- (b) “reception class” means a class in which education is provided which is suitable to the requirements of pupils aged five and any pupils under

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or over that age whom it is expedient to educate together with pupils of that age.”