



# Education Act 1993 (repealed)

## 1993 CHAPTER 35

### PART III

#### CHILDREN WITH SPECIAL EDUCATIONAL NEEDS

##### *Special schools and independent schools*

#### **189 Approval of independent schools.**

- (1) The Secretary of State may approve an independent school as suitable for the admission of children for whom statements are maintained under section 168 of this Act.
- (2) Regulations may make provision as to—
  - (a) the requirements which are to be complied with by a school as a condition of its approval under this section,
  - (b) the requirements which are to be complied with by a school while an approval under this section is in force in respect of it, and
  - (c) the withdrawal of approval from a school at the request of the proprietor or on the ground that there has been a failure to comply with any prescribed requirement.
- (3) An approval under this section may be given subject to such conditions (in addition to those prescribed) as the Secretary of State sees fit to impose.
- (4) In any case where there is a failure to comply with such a condition imposed under subsection (3) above, the Secretary of State may withdraw his approval.
- (5) No person shall so exercise his functions under this Part of this Act that a child with special educational needs is educated in an independent school unless—
  - (a) the school is for the time being approved by the Secretary of State as suitable for the admission of children for whom statements are maintained under section 168 of this Act, or
  - (b) the Secretary of State consents to the child being educated there.

**Status:**

Point in time view as at 01/04/1994. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Education Act 1993 (repealed), Section 189.