



# Education Act 1996

## 1996 CHAPTER 56

### PART IV

#### SPECIAL EDUCATIONAL NEEDS

### CHAPTER II

#### SCHOOLS PROVIDING FOR SPECIAL EDUCATIONAL NEEDS

##### *Maintained special school becoming grant-maintained*

#### **345 Maintained special school becoming grant-maintained special school**

- (1) Regulations may make provision for maintained special schools, or any class or description of such schools, to cease to be maintained by the local education authority and become grant-maintained special schools.
- (2) Regulations shall require, before a maintained special school becomes a grant-maintained special school in pursuance of the regulations—
  - (a) the submission to the Secretary of State of proposals for the purpose by the governing body of the school, and
  - (b) the approval of such proposals, as originally submitted or as modified by the Secretary of State (whether before or after they are approved).
- (3) If the proposals are so approved, a governing body of the school shall be incorporated in accordance with Schedule 28 on the date of approval (referred to in this Part as the “incorporation date”).
- (4) Regulations made for the purposes of this section may apply any provision of—
  - (a) Chapter II (apart from section 198) or Chapter III or V of Part III,
  - (b) section 340, or
  - (c) section 35(7) or (8), section 37(1), (4), (7), (8) or (9), section 167(3) or (6) or section 169(1), (4) or (6),

with or without modification.