

## SCHEDULES

### SCHEDULE 35

Section 479.

#### TERMINATION OF PARTICIPATION AGREEMENTS

- 1 (1) A participation agreement shall provide that it may be terminated in accordance with this Schedule.
- (2) A participation agreement shall not be capable of being terminated by either party otherwise than in accordance with this Schedule.
- 2 The proprietors of the school may terminate a participation agreement by giving three years' written notice to the Secretary of State or such shorter notice as he may in any particular case accept.
- 3 Subject to paragraph 4, the Secretary of State may terminate a participation agreement by giving three years' written notice to the proprietors of the school.
- 4 (1) If in the case of a participation agreement the Secretary of State—
  - (a) is satisfied that any condition applying to the school under the agreement or by virtue of regulations made under section 480 has been contravened, or
  - (b) is not satisfied that appropriate educational standards are being maintained at the school, or
  - (c) is not satisfied that section 550 (which provides that a person is not to be refused education at a school because section 548 would prevent his being given corporal punishment) is being complied with in relation to the school,he may at any time terminate the agreement by written notice to the proprietors of the school.
- (2) A notice of termination given under this paragraph may provide that it shall be treated as of no effect if the proprietors of the school satisfy the Secretary of State within such time as may be specified in the notice that they have complied with any condition so specified.
- 5 A notice of termination given under paragraph 3 or 4 shall contain a statement of the reason for which it is given.
- 6 The termination of a participation agreement shall not affect the operation of the agreement or of the assisted places scheme (including any regulations made under section 480) in relation to any pupil holding an assisted place at the school on the date of the termination.