

SCHEDULES

SCHEDULE 21

MINOR AND CONSEQUENTIAL AMENDMENTS

School Standards and Framework Act 1998 (c. 31)

- 115 (1) Schedule 6 to the School Standards and Framework Act 1998 (establishment etc of schools) is amended as follows.
- (2) In paragraph 3, after sub-paragraph (2) there is inserted—
- “(2A) The requirement to make a decision under sub-paragraph (2) in the case of proposals of a prescribed description only applies if, at the time when the decision falls to be made under that sub-paragraph, the committee are satisfied that the proposals do not relate to any relevant proposals.
- (2B) In sub-paragraph (2A), “relevant proposals” means proposals of a description prescribed for the purposes of this sub-paragraph.
- (2C) In deciding for the purposes of sub-paragraph (2A) whether any proposals are related the relevant committee shall have regard to any guidance given from time to time by the Secretary of State.”
- (3) In paragraph 4(3)—
- (a) in paragraph (b), after “body of a” there is inserted “community,” and
- (b) after paragraph (e) there is inserted—
- “(f) any undetermined proposals published under section 113A of the Learning and Skills Act 2000, if those proposals are relevant proposals for the purposes of paragraph 3(2A);
- (g) any undetermined proposals made under section 51 of the Further and Higher Education Act 1992, if those proposals are relevant proposals for those purposes; or
- (h) any direction under section 71 of the Education Act 2002”.
- (4) In paragraph 4(4)—
- (a) in paragraph (a), after “or under Schedule 7” there is inserted “or 7A”, and
- (b) after paragraph (b) there is inserted “or
- (c) the Secretary of State has not made a decision as to whether or not to make an order under section 16 or 27 of the Further and Higher Education Act 1992,”.
- (5) In paragraph 12 (implementation of proposals relating to community or maintained nursery schools)—
- (a) in sub-paragraph (1), for the words from “proposed” to the end there is substituted “maintained nursery school or a proposed such school”, and

Status: This is the original version (as it was originally enacted).

- (b) in sub-paragraph (2) there is inserted at the end “or, in the case of proposals published by the governing body of a community school under section 28(2) (b), by the local education authority who maintain the school”.