



# Education Act 2002

## 2002 CHAPTER 32

### PART 1

#### PROVISION FOR NEW LEGAL FRAMEWORKS

### CHAPTER 1

#### POWERS TO FACILITATE INNOVATION

## **1 Purpose and interpretation of Chapter 1**

- (1) The purpose of this Chapter is to facilitate the implementation by qualifying bodies of innovative projects that may—
  - (a) in the opinion of the Secretary of State, contribute to the raising of the educational standards achieved by children in England, or
  - (b) in the opinion of the National Assembly for Wales, contribute to the raising of the educational standards achieved by children in Wales.
- (2) In forming an opinion as to whether a project may contribute to the raising of the educational standards achieved by children in England or Wales, the Secretary of State or the National Assembly for Wales shall—
  - (a) have regard to the need for the curriculum for any school affected by the project to be a balanced and broadly based curriculum which promotes the spiritual, moral, cultural, mental and physical development of children and of society, and
  - (b) consider the likely effect of the project on all the children who may be affected by it.
- (3) In this Chapter—
  - “the Chief Inspector” means—
    - (a) in relation to England, Her Majesty’s Chief Inspector of Schools in England, and

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*Status: This is the original version (as it was originally enacted).*

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- (b) in relation to Wales, Her Majesty’s Chief Inspector of Education and Training in Wales;
  - “children” means persons under the age of nineteen;
  - “education legislation” means—
    - (a) the Education Acts (as defined by section 578 of the Education Act 1996 (c. 56)),
    - (b) the Learning and Skills Act 2000 (c. 21), and
    - (c) any subordinate legislation made under any of those Acts;
  - “qualifying body” means—
    - (a) a local education authority,
    - (b) an Education Action Forum,
    - (c) the governing body of a qualifying school, or
    - (d) the proprietor of any special school that is not maintained by a local education authority but is for the time being approved by the Secretary of State or the National Assembly for Wales under section 342 of the Education Act 1996;
  - “qualifying school” means—
    - (a) a community, foundation or voluntary school or a community or foundation special school,
    - (b) a maintained nursery school,
    - (c) a city technology college,
    - (d) a city college for the technology of the arts, or
    - (e) an Academy;
  - “subordinate legislation” has the same meaning as in the Interpretation Act 1978 (c. 30).