



Education and Skills Act 2008

2008 CHAPTER 25

PART 4

REGULATION AND INSPECTION OF INDEPENDENT EDUCATIONAL PROVISION IN ENGLAND

CHAPTER 1

INDEPENDENT EDUCATIONAL INSTITUTIONS IN ENGLAND

Appeals

126 Appeal by proprietor against order of justice of the peace

- (1) The proprietor of a registered independent educational institution may appeal to the Tribunal against the making of an order under section 120 (order of justice of the peace in an emergency).
- (2) On an appeal under this section the Tribunal may—
 - (a) confirm the making of the order,
 - (b) direct that the order is to cease to have effect, or
 - (c) direct that the order is to cease to have effect and make an order—
 - (i) imposing a relevant restriction on the proprietor of the institution, or
 - (ii) requiring the Secretary of State to remove the institution from the register on such date as the Tribunal may specify or, if it does not specify a date, from such date as the Secretary of State may determine.
- (3) Subsection (4) applies where—
 - (a) an appeal is brought under this section against an order that the institution be removed from the register, and
 - (b) the Tribunal directs that the order is to cease to have effect.
- (4) The institution—

Changes to legislation: *Education and Skills Act 2008, Section 126 is up to date with all changes known to be in force on or before 12 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (a) must be restored to the register by the Secretary of State, and
- (b) is to be treated as if it had not been removed from the register in pursuance of the order.

Commencement Information

II S. 126 in force at 5.1.2015 in so far as not already in force by S.I. 2014/3364, art. 2(t)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 91(3)(c) inserted by [2022 asc 1 Sch. 4 para. 22\(3\)](#)