
STATUTORY INSTRUMENTS

1983 No. 262

EDUCATION, ENGLAND AND WALES

The Education (Schools and Further
Education) (Amendment) Regulations 1983

<i>Made</i>	- - - -	<i>28th February 1983</i>
<i>Laid before Parliament</i>		<i>10th March 1983</i>
<i>Coming into Operation</i>		<i>1st April 1983</i>

In exercise of the powers conferred by sections 27 and 35(4) of the Education Act 1980⁽¹⁾, the Secretary of State for Education and Science, as respects England, and the Secretary of State for Wales, as respects Wales, hereby make the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Education (Schools and Further Education) (Amendment) Regulations 1983 and shall come into operation on 1st April 1983.

Interpretation

2. In these Regulations a reference to the principal Regulations is a reference to the Education (Schools and Further Education) Regulations 1981.

Application of principal Regulations

3.—(1) In sub-paragraph (a) of Regulation 3 of the principal Regulations (references to schools) for the words “other than a special school” there shall be substituted the words “or to a special school (whether or not so maintained)”.

(2) In sub-paragraph (b) of the said Regulation 3 (references to further education establishments) for the words “which, for the purposes hereof” to the end there shall be substituted the words “which is designated by or under Schedule 3.”.

(3) Any designation of a further education establishment under sub-paragraph (b) of the said Regulation 3 as originally made shall cease to have effect.

(1) , extended by paragraph 4 of Schedule 2 to the Sex Discrimination Act 1975 (c. 65), as amended by section 33(3) of the Education Act 1980.

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Hostels for pupils with special educational needs

4.—(1) For Regulation 5(1) of the principal Regulations (definition of “hostel for handicapped pupils”) there shall be substituted the following provision:—

“**5.—(1)** In these Regulations any reference to a hostel for pupils with special educational needs is a reference to a boarding hostel provided by a local education authority for pupils with such needs attending a school or further education establishment; and, for the purposes hereof, the expression “special educational needs” has the same meaning as in the Education Act 1981(2).”.

(2) In Regulations 7(1)(c) and 8 of the principal Regulations (approval of premises and inspection of hostels) for the words “hostel for handicapped pupils”, in both places where they occur, there shall be substituted the words “hostel for pupils with special educational needs”.

Transitional exemption orders under the Sex Discrimination Act 1975

5. In Regulation 9(3)(b) of the principal Regulations (application for a transitional exemption order in the case of a special school) for the words “ section 16” there shall be substituted the words “section 26” .

Designated further education establishments

6. After Schedule 2 to the principal Regulations there shall be added the Schedule set out in the Appendix hereto.

28th February 1983

Keith Joseph
Secretary of State for Education and Science

28th February 1983

Nicholas Edwards
Secretary of State for Wales

EXPLANATORY NOTE

These Regulations amend the Education (Schools and Further Education) Regulations 1981 (“the principal Regulations”); they come into operation on 1st April 1983.

In the case of schools, the principal Regulations (with the exception of Regulation 9) apply only to schools maintained by local education authorities other than special schools. Regulation 3(1) of the present Regulations provides that they shall also apply to special schools (whether or not so maintained).

In the case of further education establishments, the principal Regulations apply to establishments provided by local education authorities and other establishments designated under Regulation 3(b) thereof as substantially dependent for their maintenance on assistance from such authorities or on grants under section 100(1)(b) of the Education Act 1944. Regulation 3(2) of the present Regulations provides that, in the case of establishments not provided by such authorities, the principal Regulations shall instead apply to establishments designated by or under a new Schedule added to the principal Regulations by Regulation 6 (the establishments listed in the new Schedule are those which had been designated under the principal Regulations as originally made with the addition of the Royal Academy of Music and the Royal College of Music).

Regulation 4 takes account of the provisions of the Education Act 1981 (which comes fully into force on the date on which the present Regulations come into operation); it substitutes references to hostels for pupils with special educational needs for references to hostels for handicapped pupils and defines such hostels.

Regulation 5 corrects an erroneous reference to the Sex Discrimination Act 1975 in Regulation 9 of the principal Regulations (which relates to transitional exemption orders under that Act).