

SCHEDULE 1

Article 4

PROVISIONS COMING INTO FORCE ON 1ST JANUARY 1994

Provisions of the Act	Subject matter of provisions
Section 22(1), (2)(a) and (b) Meaning of grant-maintained and (3) (save that subsection (2)(b) is only brought into force for the purpose of defining the expression “proposals for the establishment of a new grant-maintained school”).	Meaning of grant-maintained school.
Section 23.	Schools eligible for grant-maintained status.
Section 25.	Initiation of procedure for acquisition of grant-maintained status: by resolution of the governing body.
Section 26.	Initiation of procedure for acquisition of grant-maintained status: by parental request.
Section 27.	Information as to parents of registered pupils.
Section 28.	Ballot of parents.
Section 29.	Persons eligible to vote in ballot.
Section 30.	Second ballot to be held if insufficient votes cast or there is a tie.
Section 31.	Power to declare ballot void for irregularity.
Section 32.	Publication of proposals for acquisition of grant-maintained status.
Section 33.	Withdrawal, approval or rejection of such proposals.
Section 34.	Incorporation of governing body of a grant-maintained school.
Section 35.	Exercise of powers before proposed date of implementation.
Section 36(1) and (2).	Expenses in connection with proposals for acquisition of grant-maintained status.
Section 37.	Interpretation of Chapter II of Part II of the Act.
Section 38.	Transfer of property etc. to the governing body of a grant-maintained school.
Section 39.	Transfer of staff to the governing body of a grant-maintained school.
Section 40.	Meaning of “pending” in relation to the procedure for acquisition of grant-maintained status.
Section 41.	Control of disposals of land.
Section 42.	Wrongful disposals of land.

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Provisions of the Act	Subject matter of provisions
Section 43.	Control of contracts.
Section 44.	Wrongful contracts.
Section 45.	Restrictions on change of purpose for which property may be used or held.
Section 46.	Restrictions on staff changes.
Section 47(5) to (9).	Supplementary provisions about transfers.
Section 55.	Constitution of the governing body of a grant-maintained school and conduct of such a school.
Section 56.	Initial instruments and articles of government.
Section 57.	Subsequent instruments of government.
Section 58.	Subsequent articles of government.
Section 59.	Categories of governors.
Section 60.	Parent governors.
Section 61.	Teacher governors.
Section 62.	Head teacher.
Section 63.	First governors.
Section 64.	Power of Secretary of State to replace first governors.
Section 65.	Foundation governors.
Section 66.	Sponsor governors.
Section 67.	Additional governors.
Section 71.	Determination of initial parent and teacher governors.
Section 72.	Section 71 of the Act: supplementary provisions.
Section 73.	Determination of initial first or foundation governors.
Section 74.	Replacement of proposed initial parent and teacher governors before incorporation.
Section 75.	Replacement of proposed initial first or foundation governors before incorporation.
Section 76.	Elections and appointments required for determining initial governors of an elected category: supplementary provisions.
Section 77.	Initial sponsor governors.
Section 79.	Saving for defects in selection or nomination of governors.

Provisions of the Act	Subject matter of provisions
Section 80.	Interpretation of Chapter V of Part II of the Act.
Section 92.	Loans to governing bodies of grant-maintained schools.
Section 136(1) and (3).	Variation of trust deeds etc. by order of the Secretary of State.
Section 137.	Modification of instruments relating to land held for the purposes of voluntary schools.
Section 152.	Manner of giving notification to governing body.
Section 153(1), (2) and (4).	Provision of information by the governing body of a grant-maintained school.
Section 155.	Interpretation of Part II of the Act.
Section 156.	Definition of special educational needs and special educational provision.
Section 157.	Code of practice relating to functions under Part III of the Act.
Section 158.	Procedure for making and approval of the code of practice.
Section 161(5).	Inclusion in annual report of prescribed information about the governing body's policy for pupils with special educational needs.
Section 177(2) to (6).	Appointment of persons to serve on the Special Educational Needs Tribunal ("the Tribunal").
Section 178.	The President of the Tribunal and the members of the panels.
Section 179.	Remuneration and expenses for members of the Tribunal.
Section 180(1) and (2).	Tribunal procedure.
Section 181.	Supervision of and appeals from the Tribunal.
Section 213.	Schools to which sections 214 to 217 of the Act apply.
Section 214.	Appointment of additional governors.
Section 215.	Suspension of right to delegated budget.
Section 216.	Grouping and de-grouping of schools.
Section 217(1).	Prohibition on ballot under Part II of the Act.
Section 218.	Power to establish education associations.
Section 219.	Supervision of education associations by the Secretary of State.

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Provisions of the Act	Subject matter of provisions
Section 220.	Transfer by order of responsibility for conducting a school to an education association.
Section 221.	Effect of an order under section 220 of the Act.
Section 222.	Functions of education associations.
Section 223.	Conduct of schools conducted by an education association.
Section 227.	Report showing school no longer requires special measures.
Section 228(1) to (3).	Regulations for the purposes of Chapter II of Part V of the Act.
Section 238.	Incorporation of governing bodies of county, voluntary and maintained special schools.
Section 239.	Powers of incorporated governing bodies.
Section 246.	Dissolution of the National Curriculum Council and the School Examinations and Assessment Council.
Section 266.	Lay members for admission appeal committees.
Section 267.	Duty to advertise for lay members for appeal committees.
Section 268.	Indemnity costs and expenses of members of appeal committees.
Section 271.	Sponsor governors for voluntary aided secondary schools.
Section 274.	Revision of schemes for financing schools maintained by local education authorities.
Section 275.	Publication and auditing of financial statements.
Section 276.	Application of schemes to special schools.
Section 281.	Grants by Secretary of State in respect of voluntary aided and special agreement schools.
Section 287.	Religious educational trusts: adoption of statutory trusts.
Section 288.	Religious educational trusts: supplementary provisions.
Section 290.	Independent schools: employment of teachers etc.
Section 291.	Training for unqualified teachers in city technology colleges and city colleges for the technology of the arts.
Section 292.	Independent schools that are children's homes.

Provisions of the Act	Subject matter of provisions
Section 299.	Stamp duty.
Section 300.	Publication of guidance.
Part I of Schedule 3.	Proposals for acquisition of grant-maintained status.
Schedule 4.	Acquisition of grant-maintained status: exercise of powers before incorporation.
Schedule 5.	Governing bodies of grant-maintained schools.
Schedule 6.	Content of articles of government for grant-maintained schools.
Schedule 7.	Categories of governors.
Paragraph 14 of Schedule 11, and section 182(4) so far as it relates thereto.	Government and conduct of grant-maintained special schools: general application of enactments.
Schedule 12.	Education associations.
Schedule 13.	Incorporated governing bodies for county voluntary and maintained special schools.
Schedule 16.	School admission appeals.
Schedule 17.	Uniform statutory trusts for educational endowments.
Paragraphs 7, 22, 23(a) (for all remaining purposes), 24(a)(iv) and (b), 29, 39, 55(b), 82 (for the purpose of repealing section 1 of the Education Act 1981 ⁽¹⁾), 83, 90 (to the extent that it provides for section 9(5) of the Education (No.2) Act 1986 ⁽²⁾ to have effect as if the transfer of a school to a new site in pursuance of section 16(1A)(c) of the Education Act 1980 ⁽³⁾ were an alteration of the kind mentioned in subsection (5) of that section), 109(a), (b)(i) and (e), 118(a) and (e), 123, 126 (for the purpose of omitting sections 52(3) to (9), 53 to 56, 58 to 72, 74 to 78, 104(1) (a), (b) and (f) to (h), 104(2), and the definition of “incorporation date” in section 104(3), of the 1988 Act), 130 (for the purpose of omitting “52(4)” from section 119(2) of the 1988 Act), 133, 134, 135, 137 (for the purpose of omitting “section 74 (taken with Schedule 10)” from section 230(1) of the 1988 Act), 138(a) and (b)(ii), 138(b)(i) (for the purpose of omitting “58(2), 59(1)” and “102” from section 232(2) of the 1988 Act), 139(a)(ii), (b) and (c), 143,	Minor and consequential amendments.

(1) 1981 c. 60.

(2) 1986 c. 61.

(3) 1980 c. 20; subsection (1A) of section 16 was revised by paragraph 78 of Schedule 19 to the Act.

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Provisions of the Act	Subject matter of provisions
144, 150, 153, 162, 163(a) and (c), 164, 165, 166, 167(b) and 174 of Schedule 19, and section 307(1) so far as it relates thereto.	
Paragraphs 1, 3, 5, 6 and 7 of Schedule 20, and section 307(2) so far as it relates thereto.	Transitional provisions and savings.
Schedule 21, in so far as it relates to the repeals set out in the Appendix to this Schedule, and section 307(3) so far as it relates thereto.	Repeals.

Appendix to Schedule 1

REPEALS TAKING EFFECT FROM 1ST JANUARY 1994

Chapter	Short title	Extent of repeal
1944 c. 31.	The Education Act 1944.	Sections 102 and 103. In section 105(2), paragraph (d) and, in the words following that paragraph, “maintenance contribution”.
1967 c. 3.	The Education Act 1967.	Section 1.
1972 c. 11.	The Superannuation Act 1972.	In Schedule 1, in the list of Other Bodies, the entries relating to the National Curriculum Council and the School Examinations and Assessment Council.
1975 c. 24.	The House of Commons Disqualification Act 1975.	In Schedule 1, in Part III, the entry relating to membership of the School Examinations and Assessment Council.
1981 c. 60.	The Education Act 1981.	Section 1.
1988 c. 40.	The Education Reform Act 1988.	In section 14(1), paragraph (a), the word “and” immediately following paragraph (b), paragraph (c) and the words “each of”. Section 42(f) to (i) and (5)(b). Sections 52(3) to (9), 53 to 56, 58 to 72, 74 to 78, 102 and 103. In section 104, subsections (1) (a) and (b) and (f) to (h) and (2), and in subsection (3) the definition of “incorporation date”. In section 119(2), “52(4)”. In section 198(1), “74”. Section 200. In section 230, in subsection (1) the words “section 74 (taken with Schedule 10)”. In section 232, in subsection (2) “58(2),

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Chapter	Short title	Extent of repeal
		<p>59(1)” and “102” and in subsection (4)(b) “52(7)”.</p> <p>In section 235, in subsection (1), in the definition of “transfer date”, “74(9)”, in subsection (3)(b) “subject to section 75(2) of this Act”, and in subsection (5) “74”.</p> <p>In Schedule 2, paragraph 1, in paragraph 9 the entries relating to membership of the National Curriculum Council and the School Examinations and Assessment Council, and in paragraph 10(5) the entries relating to the National Curriculum Council and the School Examinations and Assessment Council.</p> <p>In paragraph 2 of Schedule 4, sub-paragraphs (3)(b) and (c) and (4)(b) and (c).</p> <p>Schedule 5.</p>
1989 c. 41.	The Children Act 1989.	In Schedule 12, paragraph 4.
1991 No.2.	The Diocesan Boards of Education Measure 1991.	In section 3(6), “or (4)”.