

SCHEDULE 3

TRANSITIONAL PROVISIONS

PART II

TRANSITIONAL PROVISIONS CONSEQUENTIAL ON THE COMMENCEMENT OF OTHER PROVISIONS OF THE ACT ON 1ST APRIL 1994

12.—(1) Notwithstanding the repeal on 1st April of sections 79 and 81 of the Education Reform Act 1988 under which the Education (Grant-maintained Schools) (Finance) Regulations 1990(1) (“the 1990 Regulations”) were made, those Regulations shall, subject to sub-paragraphs (2) to (5) below, continue in force on and after that date.

(2) The 1990 Regulations, as so continued in force, shall have effect as if made under sections 81(2), 82(2), 83(2), 88, 89, 90 and 94 of the Act and may be amended or revoked.

(3) The 1990 Regulations, as so continued in force, shall not apply in relation to any school which is established as a grant-maintained school under Chapter IV of Part II of the Act.

(4) In the 1990 Regulations, as so continued in force, any reference to the incorporation date in respect of any school, shall be read as a reference to the date of implementation of the proposals in respect of the school (within the meaning of section 37(2) of the Act).

(5) In the 1990 Regulations, as so continued in force, any reference to the former maintaining authority shall be read as a reference to the local education authority named in a determination under section 93 of the Act applying that section in relation to the school (or that school and other schools) and financial year in question.

(1) S.I. 1990/549, amended by S.I. 1990/2279, 1991/353.