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STATUTORY INSTRUMENTS

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**1996 No. 111**

**EDUCATION, ENGLAND AND WALES**

**The Education (Grant-maintained Special Schools) (Amendment) Regulations 1996**

<i>Made</i>	- - - -	<i>16th January 1996</i>
<i>Laid before Parliament</i>		<i>30th January 1996</i>
<i>Coming into force</i>	- -	<i>22nd February 1996</i>

In exercise of the powers conferred on the Secretary of State by sections 186(4) and 301(6) of the Education Act 1993<sup>(1)</sup> the Secretary of State for Wales hereby makes the following Regulations:

**Citation and Commencement**

1. These Regulations may be cited as the Education (Grant-maintained Special Schools) (Amendment) Regulations 1996 and shall come into force on 22nd February 1996.

**Amendment**

2. There shall be substituted for regulation 4(1) of the Education (Grant-maintained Special Schools) Regulations 1994<sup>(2)</sup> the following—

“4.—(1) Section 24 of the 1993 Act shall apply in relation to the governing bodies of maintained special schools eligible to become grant-maintained special schools as it applies to other schools which are eligible for grant-maintained status, subject to the following modifications—

(a) for subsection (1) of that section there shall be substituted—

“(1) This section applies to the governing bodies of all maintained special schools which are eligible to become grant-maintained special schools.”; and

(b) for subsection (3) of that section there shall be substituted—

“(3) Subsection (2) does not apply (if it would otherwise have applied)—

(a) in respect of any school year if a ballot has been held in accordance with section 28 of this Act in the school year which precedes it; and

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(1) 1993 c. 35; for matters to be prescribed and the definition of “regulations” see section 305(1).

(2) S.I. 1994/653, amended by S.I. 1994/1231 and S.I. 1994/2003.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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- (b) in relation to the school year ending in 1996, if the question referred to in that subsection has been considered by the governing body of the school at least once in that school year.”.”

16th January 1996

*William Hague*  
Secretary of State for Wales

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

The Education (Grant-maintained Special Schools) Regulations 1994 apply to section 24 of the Education Act 1993 (annual consideration of grant-maintained status) to grant-maintained special schools in England. The present Regulations amend regulation 4 so that it will now extend to grant-maintained special schools in Wales. The governing body will not, however, be required to consider in the 1995-1996 school year the question of whether the school should become a grant-maintained special school if they have already considered that question before these Regulations came into force.