STATUTORY INSTRUMENTS

1996 No. 710

The Local Government Changes for England (Education) (Miscellaneous Provisions) Regulations 1996

PART 2

RELIGIOUS EDUCATION

Interpretation of Part 2

3. In this Part—

"the 1988 Act" means the Education Reform Act 1988(**1**);

"an existing council" means the standing advisory council on religious education constituted by a transferor authority under section 11 of the 1988 Act; and

"the new council" means the standing advisory council on religious education constituted by the transferee authority under that section.

Standing advisory councils on religious education

4.—(1) This regulation applies where immediately before the reorganisation date an existing council have not given the notification required by section 12(3) of the 1988 Act in respect of any application made under section 12(1) of that Act(**2**) (determination by advisory councils of cases in which requirement for Christian collective worship is not to apply) in respect of a school (or pupils at a school) in the transferred area.

(2) Where this regulation applies it shall be the duty of the existing council as soon as practicable—

(a) to inform the new council of that application; and

(b) to furnish that council with all documents (or copies of documents) and information in their possession relating to that application.

(3) Where the new council are informed of an application pursuant to paragraph (2) above section 12 of that Act shall apply as if the application had been made to them under that section.

5. Where nothing remains to be done by an existing council constituted by an abolished authority to comply with their duties under section 11(9) to (13)(**3**) of the 1988 Act (duties to publish and distribute annual reports and to distribute copies of the council's advice) or regulation 4 above, the council shall be dissolved.

6. On the reorganisation date subsection (5) of section 12 of the 1988 Act (reviews of determinations) shall cease to require an existing council to review a determination made by them under that section in respect of a school (or pupils at a school) in the transferred area; and on and

(**1**) 1988 c. 40.
(**2**) Section 12(1) was amended by section 148(a) of the Education Act 1993 (c. 35).
(**3**) Subsections (11) and (12) of section 11 were added by section 147(2) of the Education Act 1993. Subsection (13) was added by paragraph 116 of Schedule 19, and amended by paragraph 4(2) of Schedule 15, to that Act.

after that date that subsection shall apply in relation to any such determination as it applies to a determination so made by the new council.

Agreed syllabuses of religious education

7. Until an agreed syllabus of religious education prepared in accordance with the provisions of the Fifth Schedule to the Education Act 1944 is adopted by the transferee authority (or deemed in accordance with that Schedule to be the agreed syllabus for use in schools in the area of that authority) the reference in section 28(1B)(a)(**4**) of that Act (religious education in aided schools to be in accordance with agreed syllabus) to "the local education authority", and the reference in section 140(3)(a) of the Education Act 1993 (religious education in former aided grant-maintained schools to be in accordance with agreed syllabus) to "the local education authority for the area in which the school is situated", shall be taken to include a reference to the transferor authority.

8. On and after the reorganisation date section 11(7) and (8) of the 1988 Act (reviews of agreed syllabuses) shall apply in relation to any agreed syllabus adopted by the transferor authority and used after that date in any school in the transferred area as it applies to an agreed syllabus adopted by the transferee authority.

(**4**) Section 28(1B) was substituted by paragraph 3(1) of Schedule 1 to the Education Reform Act 1988.