

---

STATUTORY INSTRUMENTS

---

**1998 No. 2670**

**The School Standards and Framework Act  
1998 (Modification) Regulations 1998**

**Financing of maintained schools etc.**

3.—(1) In relation to the relevant period, section 44(5) and (6) and Chapter IV of Part II of, and Part I and paragraph 6 of Schedule 11 to, the 1998 Act shall apply in relation to—

- (a) county, voluntary, maintained special, grant-maintained and grant-maintained special schools; and
- (b) proposed county, voluntary and maintained special schools,

within the meaning of the 1996 Act, and shall do so with the following modifications.

(2) In section 44(5) references to temporary governing bodies and temporary governors shall include temporary governing bodies and temporary governors as defined in section 181(3) of the 1996 Act.

(3) All references in Chapter IV of Part II of, and Part I of Schedule 11 to, the 1998 Act to maintained schools or schools maintained by a local education authority (however framed) shall be construed as references to county, voluntary, maintained special, grant-maintained and grant-maintained special schools within the meaning of the 1996 Act.

(4) For section 45(3) and (4) there shall be substituted—

“(3) In this Chapter—

- (a) references, in a context referring to a local education authority or to a county, voluntary, maintained special, grant-maintained or grant-maintained special school (being references so construed in accordance with the School Standards and Framework Act 1998 (Modification) Regulations 1998), shall be read as including a new school—
  - (i) proposals for the establishment of which have been published under section 35, 41 or 339(1) of the Education Act 1996 but not yet implemented, and
  - (ii) which has a temporary governing body; and
- (b) references to the governing body of a county, voluntary, maintained special, grant-maintained or grant-maintained special school shall accordingly be read as including the temporary governing body of a new school falling within paragraph (a)(1).

(4) In this Chapter “new school” (without more) means a new school within the meaning of Part II of the Education Act 1996.”.

(5) For section 49(6)(b) there shall be substituted the following paragraph—

---

(1) Where proposals for the establishment of the school have been implemented and the temporary governing body remain in existence by virtue of paragraph 2(a) of Schedule 10 to the 1996 Act then that temporary governing body are already treated as if they were the governing body by virtue of paragraph 2(b) of that Schedule.

---

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

---

“(b) (in the case of a voluntary aided or special agreement school within the meaning of the Education Act 1996) to meet expenses payable by the governing body under section 45(1) or 59(2) or (3) of that Act.”.