

SCHEDULE 2

TRANSITIONAL PROVISIONS

PART II

3. Section 550B of the 1996 Act (inserted by section 5 of the 1997 Act) shall not apply in relation to the detention of a pupil imposed as punishment for misconduct which occurs wholly before 1st September 1998.

4. In relation to a pupil who is excluded from a school for misconduct which occurs wholly before 1st September 1998, the provisions of—

- (a) section 156(2) of the 1996 Act (in relation to a county, voluntary or maintained special school), or
- (b) section 307(1) of that Act (in relation to a grant-maintained or grant-maintained special school),

shall continue to have effect without the amendments made by section 6 of the 1997 Act.

5.—(1) In this paragraph “relevant appeal” means an appeal against a decision or direction relating to the permanent exclusion of a pupil from a school where any such decision or direction is made before 1st September 1998.

(2) In relation to a relevant appeal concerning the exclusion of a pupil from a county, voluntary or maintained special school, Schedule 16 to the 1996 Act shall continue to have effect without the amendments made by section 7 of the 1997 Act.

(3) In relation to a relevant appeal concerning the exclusion of a pupil from a grant-maintained or grant-maintained special school—

- (a) the provisions in that school’s instrument or (as the case may be) articles of government applying immediately before 1st September 1998 which relate to the procedure on an appeal against a decision not to reinstate a pupil permanently excluded from the school, shall continue to have effect; and
- (b) none of the following provisions shall apply—
 - (i) section 307A of the 1996 Act (inserted by section 8(1) of the 1997 Act);
 - (ii) Schedule 25A to the 1996 Act (inserted by section 8(2) of, and Schedule 1 to, the 1997 Act); and
 - (iii) paragraph 16 of Schedule 28 to the 1996 Act (inserted by section 8(3) of the 1997 Act).

6. Paragraphs 4 and 5 apply notwithstanding the coming into force of sections 6 to 8 and 57(3) of the 1997 Act.