
STATUTORY INSTRUMENTS

1999 No. 1502

The Foundation Body Regulations 1999

Establishment of foundation bodies

3.—(1) A foundation body may only be established under section 21 of the 1998 Act in accordance with the following provisions of this regulation.

(2) The governing bodies of the three or more schools which wish a particular foundation body to be established and which propose to form the group for which the foundation body will act shall together apply to the Secretary of State for the establishment of that foundation body.

(3) The application shall contain—

- (a) a statement that the application has been agreed by the governing body of each school;
- (b) a draft instrument of government for the foundation body based on the model set out in Schedule 1 to these Regulations;

(c) a statement containing—

- (i) the names of the initial governor members of the foundation body to be appointed in accordance with regulation 7(1),
- (ii) the proposed implementation date,
- (iii) the category in which it is proposed that each school will enter the group or a statement that a particular school will enter in its existing category, and
- (iv) an undertaking that the foundation body will appoint foundation governors to schools in the group in accordance with the instruments of government of the schools in question.

(4) If the Secretary of State approves the application, a foundation body shall be established as a body corporate under section 21 of the 1998 Act on a date specified by him in writing. On the date of establishment, the initial governor members specified in the application, subject to any changes agreed by the Secretary of State with the governing body or bodies in question, shall be the initial governor members of the foundation body.