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## EXPLANATORY NOTE

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

These Regulations prescribe various matters relating to proposals for the establishment, alteration and discontinuance of schools maintained by local education authorities other than special schools.

Regulation 3 with Schedule 1 prescribes (for the purposes of section 28 of the School Standards and Framework Act 1998) the alterations for which notice of proposals must be published. Regulation 4 with Schedule 2 prescribes the information which must be contained in published proposals and regulation 5 prescribes the manner in which such proposals must be published. Regulation 6 with Schedule 3 prescribes additional information which has to be provided to the School Organisation Committee and (where proposals are published as result of an order by the Secretary of State under Schedule 7 to the School Standards and Framework Act 1998) to the Secretary of State. Regulation 7 prescribes the time limit for objecting to the proposals and the time limit within which (when proposals have been published by a local education authority) a local education authority must send copies of objections to the School Organisation Committee.

Regulation 8 prescribes the bodies with whom the school organisation committee or adjudicator must consult before approving proposals with modifications. Regulation 9 prescribes events which can be specified in a conditional approval.

Regulation 10 provides for the period after which, if the school organisation committee has not voted on a matter, they must, if the body by whom the proposals were published so requests, refer the matter to the adjudicator.

Regulation 11 prescribes the persons at whose request the school organisation committee or adjudicator may modify approved proposals and the bodies with whom the committee or adjudicator must consult before doing so.

Regulation 12 provides for the information which must be provided by the school organisation committee or adjudicator to various persons specified in regulation 12 in connection with published proposals.

Regulation 13 provides for the voting of the school organisation committee. Provision is made that each group of members is collectively to have a single vote when taking decisions relating to the approval of proposals to establish, alter or discontinue schools and that all such decisions must be unanimous decisions of those voting.

Regulation 14 provides for the time limit within which matters must be referred to the adjudicator.

Regulation 15 with Schedules 4 and 5 applies provisions of sections 28 and 29 of, and Schedules 6 and 23 to, the School Standards and Framework Act 1998 with modifications to cases where—

- (a) proposals are published under paragraph 5(4) of Schedule 6 to that Act that a body should not be under an obligation to implement approved proposals; or
- (b) proposals are published for the transfer of a school to a new site in a different local education authority area or which relate to a school which is, or is proposed to be, situated in an area other than that of its maintaining local education authority.

Regulation 16 makes provisions for the school organisation committee or adjudicator to review decisions on standard numbers.

Regulation 17 makes modifications to the regulations which will apply during certain transitional periods and in other special cases.

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

Regulation 18 amends the Education (School Organisation Proposals) (Transition to New Framework) Regulations 1999 to correct an error in those regulations and regulation 19 revokes two sets of regulations (insofar as they would otherwise remain in force) which deal with the manner of publication of certain proposals.