

## SCHEDULE 6

### SAVING AND TRANSITIONAL PROVISIONS RELATING TO PUPIL EXCLUSIONS

#### **Exclusion of pupils**

**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 which—

- (a) by virtue of paragraph 2 above is required to be considered by an appeal committee constituted—
  - (i) in accordance with Part I of Schedule 33 to the 1996 Act, or
  - (ii) for the purposes of Schedule 23 to the 1996 Act; and
- (b) has not been determined by such a committee before 1st September 1999.

(2) Where a committee as so constituted have first met to consider a relevant appeal before 1st September 1999, the committee may proceed to determine the appeal on or after that date irrespective of whether the committee includes a person—

- (a) who before that date was eligible for membership of the committee by virtue of being a governor of the school, but
- (b) who, with effect from that date, ceases to be (or is no longer eligible to be) a governor of the school by virtue of any provision of, or made under, the 1998 Act.

(3) However such a person shall not be eligible for membership of a committee referred to in sub-paragraph (1) where the committee first meets to determine a relevant appeal on or after 1st September 1999.