
STATUTORY INSTRUMENTS

2000 No. 3209

**The Education (New Procedures for
Property Transfers) Regulations 2000**

Property transfers under the 1992 Act

11. Schedule 5 shall have effect as if—

- (a) in paragraph 1(3) for “Education Transfer Council” there were substituted “transferee” and for “Council” there were substituted “Secretary of State in relation to England or the National Assembly in relation to Wales”;
- (b) in paragraph 2(1) for “Education Transfer Council” there were substituted “transferee”;
- (c) after paragraph 2(2) there were inserted—

“(3) If and to the extent that he or it is requested to do so by the transferor or the transferee, the Secretary of State in relation to England or the National Assembly in relation to Wales shall—

- (a) assist the transferor, the transferee and any other interested person in identifying or defining the property, rights and liabilities transferred to the transferee or retained by the transferor;
- (b) advise such persons as to the terms of any agreement or instrument falling to be made under sub-paragraph (1) above;
- (c) prepare drafts of any such agreement or instrument; and
- (d) assist the parties in executing and giving effect to any such agreement or instrument.

(4) Within 6 months after the operative date the transferor shall send the Secretary of State in relation to England or the National Assembly in relation to Wales a copy of an executed transfer agreement or, if no agreement has been executed, so notify him or it.”;

- (d) subject to regulation 14 below, for paragraph 3(1) there were substituted—

“(1) In the case of any matter on which agreement is required to be reached under paragraph 2(1) above, if such an agreement has not been reached within a period of 6 months from the operative date, the Secretary of State in relation to England or the National Assembly in relation to Wales may give a direction determining that matter, and may include in the direction any provision which might have been included in an agreement under paragraph 2(1) above.”;

- (e) subject to regulation 14 below, paragraph 3(2) were omitted;

- (f) subject to regulation 14 below, for paragraph 3(4) there were substituted—

“(4) The Secretary of State in relation to England or the National Assembly in relation to Wales shall consult the transferor, the transferee and any other interested person before giving a direction under this paragraph.”;

- (g) subject to regulation 14 below, paragraphs 4 and 5 were omitted;

- (h) in paragraph 7(2) for “Education Transfer Council” there were substituted “transferee”;

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

- (i) in paragraphs 7(6) and (9) for “Education Transfer Council” there were substituted “transferee”; and
- (j) paragraph 8 were omitted.