
STATUTORY INSTRUMENTS

2003 No. 1558

New Schools (General) (England) Regulations 2003

PART 6

General Conduct of New Schools

Conduct of the school before the school opening date

31. Section 61 of the 1998 Act and sections 27 and 28 of, and Schedule 1 to, the 2002 Act shall apply in relation to a proposed school⁽¹⁾ with the following modifications—

- (a) references to governing body shall be treated as references to temporary governing body;
- (b) references to a maintained school shall be treated as including a reference to a proposed maintained school;
- (c) references to the instrument of government shall be treated as a reference to the instrument of government whether or not it has taken effect; and
- (d) section 61(3)(b) and (7) of the 1998 Act and paragraphs 2(2) and 2(3) of Schedule 1 to the 2002 Act shall not apply.

⁽¹⁾ Section 34(7) of the 2002 Act provides that for the purposes of section 30(3) of that Act and sections 495 to 498 of the 1996 Act, the temporary governing body shall be treated as if they were the governing body at any time before the school opening date.