

2007 No. 1329

EDUCATION, ENGLAND

**The School Organisation (Foundation Special Schools)
(Application of Provisions Relating to Foundations) (England)
Regulations 2007**

<i>Made</i> - - - -	<i>25th April 2007</i>
<i>Laid before Parliament</i>	<i>2nd May 2007</i>
<i>Coming into force</i> - -	<i>25th May 2007</i>

The Secretary of State for Education and Skills makes the following Regulations in exercise of the powers conferred by sections 21(9) and 138 of the School Standards and Framework Act 1998(a).

Citation, commencement and application

1.—(1) These Regulations may be cited as the School Organisation (Foundation Special Schools) (Application of Provisions Relating to Foundations) (England) Regulations 2007 and come into force on 25th May 2007.

(2) These Regulations apply only in relation to England.

Application and modification of provisions relating to foundations

2. Section 21(3) of the School Standards and Framework Act 1998 applies to foundation special schools as it applies in relation to foundation and voluntary schools with the following modifications—

- (a) in paragraph (a) omit sub-paragraph (ii); and
- (b) in paragraph (b) omit sub-paragraph (ii).

25th April 2007

Jim Knight
Minister of State
Department for Education and Skills

(a) 1998 c.31; for the definition of “regulations” see section 142(1) of the School Standards and Framework Act 1998.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 21 of the School Standards and Framework Act 1998 (“the Act”) defines the different kinds of foundation and voluntary school, and the different kinds of foundation which may exist for the purposes of education legislation.

Section 21(3)(a) defines “foundation” in relation to foundation and voluntary schools, as (i) any body of persons (whether incorporated or not but excluding the governing body) which holds land on trust for the purposes of the school, or (ii) a foundation body. A foundation body (as defined in section 21(4)) is a particular type of foundation established under the Act.

Section 21(3)(b) sets out the situations in which a school “has” a foundation; and section 21(3)(c) defines references to land or other property held on trust, or by trustees, for the purposes of the school.

These Regulations apply section 21(3) to foundation special schools, excluding the references to “foundation bodies”, to enable foundation special schools to have foundations established otherwise than under the Act.

£3.00

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E0683 5/2007 170683T 19585

