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STATUTORY INSTRUMENTS

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**2007 No. 958**

**The School Governance (New Schools) (England) Regulations 2007**

**PART 1**

**General**

**Citation and commencement**

1. These Regulations may be cited as the School Governance (New Schools) (England) Regulations 2007 and come into force on 25th May 2007.

**Revocation**

2. The New Schools (General) (England) Regulations 2003(1) are revoked.

**Interpretation**

3.—(1) In these Regulations—

“EA 1996” means the Education Act 1996(2);

“SSFA 1998” means the School Standards and Framework Act 1998;

“EA 2002” means the Education Act 2002;

“EIA 2006” means the Education and Inspections Act 2006(3);

“the Constitution Regulations” means the School Governance (Constitution) (England) Regulations 2007(4);

“head teacher designate” means a person who has been appointed as the head teacher of a new school but who has not yet taken up the post;

“local education authority” means the local education authority by which a maintained school is, or a proposed such school is to be, maintained;

“new school” has the meaning given by section 72(3) of SSFA 1998;

“pupil” has the meaning given by section 3 of EA 1996(5);

“qualifying foundation school” means a foundation or a foundation special school that has or is proposed to have a foundation established otherwise than under SSFA 1998, and whose instrument of government provides or is proposed to provide for the majority of governors to be foundations governors appointed by the foundation; and

“school teacher” has the meaning given by section 122 of EA 2002.

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(1) [SI 2003/1558](#).

(2) [1996 c.56](#).

(3) [2006 c.40](#).

(4) [SI 2007/957](#).

(5) Section 3 was amended by paragraph 34 of Schedule 21 to the Education Act 2002.

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*Status: This is the original version (as it was originally made).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

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(2) In these Regulations, references to a school having a delegated budget are to be interpreted in accordance with section 39(2) of EA 2002.

(3) Any reference in these Regulations to—

- (a) a committee is a reference to a committee established by the temporary governing body to which the temporary governing body has delegated any of its statutory functions;
- (b) a temporary governing body is a reference to the temporary governing body of any school or proposed school in respect of which the provision applies;
- (c) a temporary governor of a particular category is to be interpreted in accordance with Part 3; and
- (d) a foundation or to a proposed school having a foundation is to be read in accordance with section 21 of SSFA 1998.

#### **Service of notices**

4. Any notice required to be served by or under these Regulations must be served in accordance with section 572 of EA 1996(6).