
EXPLANATORY NOTE

(This note is not part of the Regulations)

The Education (Areas to which Pupils and Students Belong) (Amendment) (England) Regulations 2009 amend the Education (Areas to which Pupils and Students Belong) Regulations 1996 (“the Principal Regulations”).

Regulations 2(2), 2(4), 2(5), 2(10) and 2(11) remove references to further education students in regulations 2(1) and 3(a) of the Principal Regulations and revoke regulations 3(b), 7(2)(d), 8, 9 and 10 of those Regulations. The effect of this is that the Principal Regulations will cease to make special provision about the areas to which further education students are to be treated as belonging. Regulation 2(11) also revokes regulation 11 of the Principal Regulations, which makes provision for the Education (Areas to which Pupils and Students Belong) Regulations 1989⁽¹⁾ to continue to apply for specified payments, as it is no longer needed.

Regulation 2(3) amends regulation 2 of the Principal Regulations to provide that those Regulations do not apply for the purpose of determining the education authority responsible for identifying, assessing, making and maintaining statements and performance of other functions under Part 4 of the Education Act 1996 relating to children with special educational needs.

Regulations 2(6) to (8) amend various regulations in the Principal Regulations by substituting references to current legislation for references to legislation that is no longer in existence.

Regulation 2(9) amends regulation 7 of the Principal Regulations to make clear that the regulation applies to the exclusion of other regulations in the Principal Regulations only.

(1) S.I. 1989/2037.