
STATUTORY INSTRUMENTS

2009 No. 1606

**The Education and Skills Act 2008 (Commencement
No. 4, Commencement No. 3 (Amendment),
Transitory and Saving Provisions) Order 2009**

**Amendment of the Education and Skills Act 2008 (Commencement No. 3) Order 2009:
transitory provisions**

7.—(1) The Education and Skills Act 2008 (Commencement No. 3) Order 2009(1) is amended as follows.

(2) After article 2 insert—

“Transitory provisions

2A.—(1) Section 111 of the Act has effect, during the period before sections 108 and 109 of the Act come into force for all purposes in relation to independent schools, subject to the modifications in paragraphs (2) to (5).

(2) Subsection (1) has effect as if the reference to an inspection carried out under Chapter 1 of Part 4 of the Act included a reference to an inspection carried out under section 162A(1)(a) of the 2002 Act.

(3) Subsection (3)(b) has effect as if the reference to an inspection under section 108 included a reference to an inspection under section 162A(1)(a) of the 2002 Act.

(4) Subsection (4)(a) has effect as if—

- (a) the reference to an inspection under section 108 included a reference to an inspection under section 162A(1)(a) of the 2002 Act; and
- (b) the reference to a time at which an independent inspectorate is approved in relation to an independent educational institution included a reference to any time at which arrangements are in place for the inspection of an independent school by a body approved by the Secretary of State for the purposes of section 162A(1)(b) of the 2002 Act.

(5) Subsection (6) has effect as if the reference to an independent educational institution entered in the register kept under section 95 of the Act included a reference to an independent school entered in the register referred to in section 158(1)(a) of the 2002 Act.

(6) In this article “the 2002 Act” means the Education Act 2002.”.