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WELSH STATUTORY INSTRUMENTS

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**2005 No. 1395**

**The Education Act 2002 (Commencement No. 6  
and Transitional Provisions) (Wales) Order 2005**

**Transitional Provisions**

5.—(1) The amendments made by paragraph 3 of Schedule 4 are not to apply in relation to the admission of children in a school year earlier than 2007-2008.

(2) Despite the coming into force of paragraphs 10 and 11 of Schedule 4, the amendments of sections 96 and 97 of the 1998 Act do not have effect in relation to a decision made by a local education authority before 31 May 2005 to direct a specified school to admit a pupil.

(3) Where a parent has given a notice of appeal in accordance with paragraph 9 of Schedule 24 to the 1998 Act before 31 May 2005 —

- (a) sections 84(6) and 94 of, and Schedule 24 to, the 1998 Act are to continue to have effect in relation to that appeal as if section 50, paragraphs 2 and 8 of Schedule 4 and the repeal of Schedule 24 to the 1998 Act had not come into force; and
- (b) section 25(5)(c) of the Local Government Act 1974(1) is to continue to have effect as if paragraph 2(a) of Schedule 21 had not come into force.

(4) Where a governing body has given a notice of appeal in accordance with paragraph 5 of Schedule 25 to the 1998 Act before 31 May 2005 —

- (a) sections 84(6), 87 and 95 of, and Schedule 25 to, the 1998 Act are to continue to have effect in relation to that appeal as if paragraphs 2 and 9 of Schedule 4 and the repeal of Schedule 25 to the 1998 Act had not come into force; and
- (b) section 25(5)(c) of the Local Government Act 1974 is to continue to have effect as if paragraph 2(a) of Schedule 21 had not come into force.