

Changes to legislation: School Standards and Organisation (Wales) Act 2013, Cross Heading: Transfer of right to use land is up to date with all changes known to be in force on or before 21 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE 4 **E+W**

IMPLEMENTATION OF PROPOSALS TO CHANGE CATEGORY OF SCHOOL

PART 3 **E+W**

TRANSFER OF LAND

Transfer of right to use land

- 27 (1) Sub-paragraph (2) applies if—
- (a) paragraph 10, 11, 12 or 13 applies to a school,
 - (b) any land held by a person or body other than a local authority was, immediately before the implementation date, used for the purposes of the school, and
 - (c) the local authority enjoyed or incurred any rights or liabilities immediately before the implementation date in connection with the use of the land.
- (2) Those rights and liabilities are, on the implementation date, to be transferred to, and vest in, the trustees of the school or, if there are no trustees, the governing body.

Commencement Information

I1 Sch. 4 para. 27 in force at 1.10.2013 by S.I. 2013/1800, art. 3(h)

- 28 (1) Sub-paragraph (2) applies if—
- (a) paragraph 14, 15, 19, 20, 24 or 25 applies to a school,
 - (b) any land held by a person or body other than the governing body of the school was, immediately before the implementation date, used for the purposes of the school, and
 - (c) the governing body enjoyed or incurred any rights and liabilities immediately before the implementation date in connection with the use of the land.
- (2) Those rights and liabilities are, on the implementation date, to be transferred to, and vest in, the local authority.

Commencement Information

I2 Sch. 4 para. 28 in force at 1.10.2013 by S.I. 2013/1800, art. 3(h)

- 29 (1) Sub-paragraph (2) applies if—
- (a) paragraph 14, 15, 19, 20, 24 or 25 applies to a school,
 - (b) any land held by a person or body other than any trustees or foundation body who hold any land for the purposes of the school was, immediately before the implementation date, used for the purposes of the school, and
 - (c) the trustees or foundation body enjoyed or incurred any rights or liabilities immediately before the implementation date in connection with the use of the land.

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- (2) Those rights and liabilities are, on the implementation date, to be transferred to, and vest in, the local authority in accordance with a transfer of rights and liabilities agreement.
- (3) A “transfer of rights and liabilities agreement” means an agreement—
- (a) made for the purposes of sub-paragraph (2) between the local authority and the trustees or foundation body, and
 - (b) providing for the rights or liabilities in question to be transferred to, and vest in, the authority on the implementation date, whether or not in consideration of the payment by the authority of such amount as may be agreed between the parties.

Commencement Information

I3 Sch. 4 para. 29 in force at 1.10.2013 by S.I. 2013/1800, art. 3(h)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 3 Ch. 3A inserted by [2022 asc 1 Sch. 4 para. 29\(7\)](#)
- s. 1(9A) inserted by [2022 asc 1 Sch. 4 para. 29\(2\)\(a\)](#)
- s. 38(2)(ca) inserted by [2022 asc 1 Sch. 4 para. 29\(3\)\(a\)](#)
- s. 38(5)(ca) inserted by [2022 asc 1 Sch. 4 para. 29\(3\)\(b\)](#)
- s. 39(1)(ca) inserted by [2022 asc 1 Sch. 4 para. 29\(4\)](#)
- Sch. 2 para. 19(2)(c)(i) word inserted by [2022 asc 1 Sch. 4 para. 29\(12\)\(b\)](#)