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STATUTORY INSTRUMENTS

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**1994 No. 653**

**The Education (Grant-maintained  
Special Schools) Regulations 1994**

**PART 7**

**MISCELLANEOUS**

**Provision of further education in grant-maintained special schools**

**34.** Section 128 of the 1993 Act shall apply to the governing body of a grant-maintained special school as it applies to the governing body of a grant-maintained school.

**Provision of benefits and services by local education authority**

**35.** Section 129 of the 1993 Act shall apply in relation to pupils and other persons receiving education at grant-maintained special schools as it does in relation to those at grant-maintained schools.

**Disposal of premises**

**36.** Sections 131, 132, 134(1) and 135 of the 1993 Act shall apply in relation to grant-maintained special schools (other than such schools established in a hospital) and the premises of such schools as they do in relation to grant-maintained schools and their premises subject to the following modifications—

(1) In section 131(1)(b) the words “or any trustees of the school” and, in the words which follow, the words “or (as the case may be) the trustees or their successors” shall be omitted.

(2) In section 135, subsection (2) and, in subsections (3) and (4), the words “or trustees” wherever they occur shall be omitted.

**Modification of instruments**

**37.** Section 136 of the 1993 Act shall apply in relation to grant-maintained special schools as it does in relation to grant-maintained schools, subject to the modifications made by regulation 2(2).

**Religious opinions etc.of staff**

**38.** Section 143(2) to (4) of the 1993 Act shall apply in relation to a grant-maintained special school.

**Supplementary**

**39.** Sections 152 and 154 of the 1993 Act (manner of giving notification to governing body and inspection of accounts and reports to Parliament) shall apply in relation to grant-maintained special

schools and their governing bodies as they apply in relation to grant-maintained schools and their governing bodies.

### **Policy on sex education**

**40.** In relation to pupils who are provided with secondary education at a grant-maintained special school, section 241(5) of the 1993 Act<sup>(1)</sup> shall apply in relation to the governing body of such a school as it applies in relation to the governing body of a grant-maintained school.

### **Functions of the School Curriculum and Assessment Authority**

**41.** Section 245 of the 1993 Act shall apply in relation to a grant-maintained special school which is not established in a hospital as it applies in relation to a grant-maintained school.

### **Application of other enactments**

**42.—(1)** The enactments mentioned in the Schedule to these Regulations shall have effect in relation to grant-maintained special schools and the governing bodies of such schools as they have effect in relation to grant-maintained schools and their governing bodies with the modifications made by that Schedule.

(2) For the purposes of the Education (School Premises) Regulations 1981<sup>(2)</sup> a grant-maintained special school shall be regarded as a special school, save that regulation 3<sup>(3)</sup> of those Regulations shall apply in relation to a grant-maintained special school as it does in relation to a grant-maintained school.

(3) For the purposes of the School Teachers' Pay and Conditions Document 1993<sup>(3)</sup>, given effect by the Education (School Teachers' Pay and Conditions) (No.2) Order 1993<sup>(4)</sup>, references in that Document to a grant-maintained school shall include a grant-maintained special school; and such a school shall be regarded as a special school for the purposes of that Document.

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(1) Section 241 is not in force at the date of the making of these Regulations.

(2) [S.I.1981/909](#), amended by [S.I.1989/1277](#), [1990/2351](#) and [1993/559](#).

(3) ISBN 0 11 270843 9.

(4) [S.I.1993/1755](#).