
STATUTORY INSTRUMENTS

2003 No. 2992

The Education Act 2002 (Commencement No. 2 and Savings and Transitional Provisions) (Amendment No. 2) Order 2003

Amendment of Commencement No 2 Order

3. For paragraph 4 of Part 2 of the Schedule to the Education Act 2002 (Commencement No. 2 and Savings and Transitional Provisions) Order 2002⁽¹⁾ substitute—

“**4.**—(1) Despite the coming into force of section 47(1) of, and paragraph 3 of Schedule 4 to, the 2002 Act—

- (a) the amendments to section 86 of the 1998 Act shall not have effect in relation to the admission of a child to a maintained school in any school year earlier than the 2004-05 school year; and
- (b) in relation to the admission of a child—
 - (i) to a maintained primary school in the 2004-05 school year,
 - (ii) to a maintained primary school in the 2005-06 school year where a scheme has not been adopted or made by virtue of section 89B and 89C of the 1998 Act⁽²⁾ for that year, or
 - (iii) to a maintained secondary school in the 2004-05 school year where a scheme has not been adopted or made by virtue of section 89B and 89C of the 1998 Act for that year,

paragraph 3 of Schedule 4 to the 2002 Act shall apply with the modifications made by sub-paragraph (2).

(2) The modifications referred to in sub-paragraph (1) are that—

- (a) paragraph 3(2) of Schedule 4, insofar as it provides that section 86(2) is not to be subject to section 86(6), and
- (b) paragraph 3(6) of that Schedule (which provides that section 86(6) shall cease to have effect),

are to be disregarded.”

(1) S.I.2002/2439.

(2) 1998 c. 31. Sections 89B and 89C were inserted into the 1998 Act by section 48 of the Education Act 2002.