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STATUTORY INSTRUMENTS

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**2009 No. 2680**

**The School Staffing (England) Regulations 2009**

**PART 5**

**Staffing of new schools**

**Interpretation of provisions applied by Part 5**

**40.** Any provision of these Regulations or Schedule 2 to EA 2002 which applies in relation to a proposed school as a result of this Part has effect for that purpose as if—

- (a) any reference to a “governing body” were a reference to a temporary governing body; and
- (b) any reference to a “governor” were a reference to a temporary governor.

**Staffing of proposed community, voluntary controlled, community special and maintained nursery schools having delegated budgets**

**41.** Where a proposed community, voluntary controlled, community special or maintained nursery school has a delegated budget, regulations 4 to 9 and 12 to 22 apply.

**Staffing of proposed foundation, voluntary aided and foundation special schools having delegated budgets**

**42.** Where a proposed foundation, voluntary aided or foundation special school has a delegated budget, regulations 4 to 9 and 24 to 34 apply.

**Staffing of proposed community, voluntary controlled, community special and maintained nursery schools without delegated budgets**

**43.** Where a proposed community, voluntary controlled, community special or maintained nursery school does not have a delegated budget, the provisions of Part 1 of Schedule 2 to EA 2002 apply.

**Staffing of proposed foundation, voluntary aided or foundation special schools without delegated budgets**

**44.** Where a proposed foundation, voluntary aided or foundation special school does not have a delegated budget, the provisions of Part 2 of Schedule 2 to EA 2002 apply.