
STATUTORY INSTRUMENTS

2010 No. 1937

**The Academies Act 2010 (Commencement
and Transitional Provisions) Order 2010**

Citation and interpretation

1.—(1) This Order may be cited as the Academies Act 2010 (Commencement and Transitional Provisions) Order 2010.

(2) In this Order “the Act” means the Academies Act 2010.

Provisions coming into force on 29th July 2010

2. 29th July 2010 is the day appointed for the coming into force of the provisions of the Act specified in column 1 of Schedule 1 to the extent specified in column 2 of that Schedule.

Provisions coming into force on 1st September 2010

3.—(1) 1st September 2010 is the day appointed for the coming into force of the provisions of the Act specified in column 1 of Schedule 2.

(2) Where a particular purpose is specified in column 2 of that Schedule in relation to any such provision, the provision comes into force on that date for that purpose only.

Provisions coming into force on 1st January 2011

4. 1st January 2011 is the day appointed for the coming into force of the provisions of the Act specified in column 1 of Schedule 3 to the extent specified in column 2 of that Schedule.

Transitional provisions

5.—(1) This article applies if—

- (a) an Academy order has effect in respect of a foundation or voluntary controlled school which is designated by order under section 69(3) of SSFA 1998 as a school having a religious character, and
- (b) the school is converted into an Academy.

(2) Despite section 6(8) of the Act, on and after the conversion date—

- (a) section 124A(2) and (3) of SSFA 1998 do not apply in relation to an existing non-reserved teacher while the teacher is employed or engaged as a teacher at the Academy,
- (b) section 59(2) to (4) of SSFA 1998 continue to apply in relation to an existing non-reserved teacher, and an existing member of the non-teaching staff, while that person is employed or engaged at the Academy.

(3) An “existing non-reserved teacher” is a teacher who—

- (a) is employed or engaged as a teacher at the school immediately before the conversion date,

- (b) is not a reserved teacher (within the meaning given by section 58(9) of SSFA 1998) at that time, and
 - (c) becomes employed or engaged as a teacher at the Academy on the conversion date.
- (4) An “existing member of the non-teaching staff” is a person who—
- (a) is employed or engaged for the purposes of the school immediately before the conversion date, otherwise than as a teacher, and
 - (b) becomes employed or engaged for the purposes of the Academy on the conversion date.
- 6.—(1) This article applies if—
- (a) an Academy order has effect in respect of a foundation or voluntary school which is designated by order under section 69(3) of SSFA 1998 as a school having a religious character,
 - (b) the school is converted into an Academy, and
 - (c) immediately before the conversion date, section 60(7) of SSFA 1998 applied to a teacher at the school.
- (2) On and after the conversion date, section 60(7) of SSFA 1998 continues to apply in relation to an existing teacher at the school while the teacher is employed or engaged as a teacher at the Academy.
- (3) An “existing teacher” is a teacher who—
- (a) is employed or engaged as a teacher at the school immediately before the conversion date, and
 - (b) becomes employed or engaged as a teacher at the Academy on the conversion date.

28th July 2010

Jonathan Hill
Parliamentary Under Secretary for Schools
Department for Education