
STATUTORY INSTRUMENTS

2010 No. 2906

**The Education and Skills Act 2008 (Commencement
No. 7 and Transitory Provisions) Order 2010**

Transitory provisions in connection with the commencement of sections 98, 99, 123 and 124 of the 2008 Act

3.—(1) Until the coming into force of section 95(1) of the 2008 Act (register of independent educational institutions for England) for all purposes, the provisions of the 2008 Act referred to in paragraphs (2) and (3) have effect subject to the modifications set out in those paragraphs.

(2) Sections 98(1), 99(3) and (5)(b), 123(1) and (5) and 124(1) of the 2008 Act have effect as if references in each of them to a proprietor of a registered independent educational institution were references to a proprietor of an independent school entered in the register referred to in section 158(1)(a) of the 2002 Act.

(3) Section 138(1) of the 2008 Act has effect as if the reference in the definition of “the register” to the register of independent educational institutions in England kept by the Secretary of State under section 95 of the 2008 Act were a reference to the register of independent schools in England referred to in section 158(1)(a) of the 2002 Act.