



Diocesan Boards of Education Measure 1991

1991 No. 2

3 Transactions for which advice or consent of Board is required.

- (1) The governing body of any church school, and the trustees of any church educational endowment held wholly or partly for or in connection with any church school, shall obtain the advice of the Board for the diocese in which the school is situated and shall have regard to that advice before making any application to or entering into any agreement or arrangement with any body or person for or in connection with the discontinuance of the school, any change in the status, size or character of the school, significant enlargement of its premises, any disposal (whether by sale or otherwise) of the premises of the school or any part thereof, or any amalgamation of that school with any other school.
- (2) Subject to subsection (3) below, the governing body of any church school which is an aided or special agreement school shall not, unless it has obtained the consent in writing of the Board for the diocese in which the school is situated, enter into any agreement or arrangement with any body or person for or in connection with any alteration or repair of the premises of the school, being an alteration or repair in respect of which grant may be paid by the Secretary of State or of which the approval of the Secretary of State is required before it is carried out.
- (3) Subsection (2) above shall not apply in relation to any alteration or repair of premises of which the estimated cost is less than such amount as may from time to time be determined by the Board for the diocese in which the school is situated.
- (4) In the case of any Church of England voluntary school which is eligible for grant-maintained status, if the governing body decides [^{F1}to hold a meeting to consider whether to hold a ballot of parents on the question of whether grant-maintained status should be sought for the school, it shall—
 - (a) give to the secretary of the Board for the diocese in which the school is situated at least seven days' notice that such a meeting is to be held at such time and place as is specified in the notice, and

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Changes to legislation: There are currently no known outstanding effects for the Diocesan Boards of Education Measure 1991, Section 3. (See end of Document for details)

- (b) have regard to any relevant advice given by the Board, when considering at the meeting whether to hold a ballot of parents on that question, and in paragraph (b) above, “relevant advice” means advice given in connection with the acquisition of grant-maintained status for the school whether given for the purposes of that school or for Church of England voluntary schools generally]
- (5) Without prejudice to subsection (2) of section [F²96 of the Education Act 1993], no proposals shall be published under that section for the purpose of making a significant change in the religious character of a church school unless the Board for the diocese in which the school is situated has given its consent in writing to the change in question.
- (6) Where the giving of advice under subsection (1) F³ . . . or consent under subsection (2) or (5) above is to be considered at any meeting of the Board, at least fourteen days’ notice of the time and place at which the meeting is to be held shall be given by the secretary of the Board to the secretary of the governing body of the school concerned, and the governors of that school shall be entitled to attend that meeting.

Textual Amendments

- F1** Words in s. 3(4) substituted (1.1.1994) by 1993 c. 35, s. 307(1), **Sch. 19 para. 163(a)**; S.I. 1993/3106, art. 4, **Sch. 1**
- F2** Words in s. 3(5) substituted (1.4.1994) by 1993 c. 35, s. 307(1), **Sch. 19 para. 163(b)**; S.I. 1994/507, art. 4, **Sch. 2**)
- F3** Words in s. 3(6) repealed (1.1.1994) by 1993 c. 35, ss. 303, 307(1)(3), Sch. 19 para. 163(c), **Sch. 21 Pt. II**; S.I. 1993/3106, art. 4, **Sch. 1**.
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Commencement Information

- I1** S. 3 fully in force at 1.8.1991 see s. 13(3) and **Archbishops' Instrument** dated 26.7.1991

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