



Education Act 1980

1980 CHAPTER 20

Establishment, discontinuance and alteration of schools

16 Provisions supplementary to ss. 12 to 15

- (1) Neither a local education authority nor any other person shall do or undertake to do anything for which proposals are required to be published and submitted in accordance with any of the provisions of sections 12 to 15 above until those provisions have been complied with and any necessary approval has been given; but the Secretary of State may in any case allow such steps to be taken pending compliance with those provisions and the giving of any necessary approval as he considers reasonable in the circumstances of the case.
- (2) References in sections 12, 13 and 14 above to a change in the character of a school include, in particular, changes in character resulting from education beginning or ceasing to be provided for pupils above or below a particular age, for boys as well as girls or for girls as well as boys, or from the making or alteration of arrangements for the admission of pupils by reference to ability or aptitude.
- (3) References in sections 12 and 15 above to a relevant age group are references to an age group in which pupils are or will normally be admitted to the school in question.
- (4) Section 13 of the Education Act 1944 (which is superseded by sections 12 to 14 above) shall cease to have effect; and the enactments mentioned in Schedule 3 to this Act shall have effect with the amendments there specified, being amendments consequential on the replacement of that section.
- (5) Subsection (4) above does not affect the said section 13, or any enactment referring to it, in relation to any proposals which have been approved or of which public notice has been given under that section before the coming into force of sections 12 to 14 above but any proposals required by virtue of that section to be implemented by a local education authority or by any other persons may, at the request of the authority or those persons, be modified by the Secretary of State.

Status: This is the original version (as it was originally enacted).

- (6) Section 14(1), (2) and (4) above shall apply, and subsection (6) of the said section 13 shall not apply, in relation to proposals for the matters referred to in paragraphs (a), (b) and (c) of section 14(1) above—
- (a) which are approved under the said section 13 on or after the date on which this subsection comes into force ; or
 - (b) which have then already been approved under that section but in respect of which specifications and plans have not yet been submitted under subsection (6) of that section;
- and, in relation to any such proposals, subsection (7) of the said section 13 shall apply as if references to specifications and plans being approved or not required under that section were references to particulars being approved or not required under section 14 above.
- (7) In subsection (6) above references to subsections (6) and (7) of the said section 13 include references to those subsections as applied by subsection (9) of that section.