



Education (No. 2) Act 1986

1986 CHAPTER 61

PART V

SUPPLEMENTAL

63 Orders and regulations.

- (1) Any power of the Secretary of State to make orders or regulations under this Act ^{F1} . . . shall be exercised by statutory instrument.
- (2) Any such statutory instrument (other than one made under section ^{F2} . . . 66, shall be subject to annulment in pursuance of a resolution of either House of Parliament.

^{F3}(2A)

- (3) Regulations and orders under this Act may make different provision for different cases or different circumstances and may contain such incidental, supplemental or transitional provisions as the Secretary of State thinks fit.

^{F4}(4)

Textual Amendments

- F1** Words in s. 63(1) repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), Sch. 38 Pt.I, **Sch. 39** (with ss. 1(4), 561, 562, **Sch. 39**)
- F2** Words in s. 63(2) repealed (1.11.1996) by virtue of 1996 c. 56, ss. 582(2)(3), 583(2), Sch. 38 Pt.I, **Sch. 39** (with ss. 1(4), 561, 562, **Sch. 39**)
- F3** S. 63(2A) repealed (1.11.1996) by virtue of 1996 c. 56, ss. 582(2)(3), 583(2), Sch. 38 Pt.I, **Sch. 39** (with ss. 1(4), 561, 562, **Sch. 39**)
- F4** S. 63(4) repealed (1.4.1995) by 1993 c. 35, ss. 307(1)(3), 308(3), Sch. 19 para. 107(b), **Sch. 21 Pt. II**; S.I. 1994/1558, art. 3, **Sch.** Appendix

Status: Point in time view as at 01/11/1996.

Changes to legislation: Education (No. 2) Act 1986, Part V is up to date with all changes known to be in force on or before 04 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

64 Expenses.

There shall be defrayed out of money provided by Parliament—

- (a) any expenses incurred by the Secretary of State under this Act; and
- (b) any increase attributable to this Act in the sums payable out of such money under any other Act.

65 Interpretation.

(1) In this Act—

- F5 . . .
- F5 . . .
- F5 . . .
- F6 . . .
- F5 . . .
- F5 . . .
- F5 . . .
- F5 . . .
- F5 . . .
- F5 . . .
- F5 . . .
- F5 . . .
- F5 . . .
- F5 . . .

[^{F7}“establishment of higher or further education” means an institution which provides higher education or further education (or both);]

(2) Except where otherwise provided, in this Act “governing body” and “governor” do not include a temporary governing body or any member of such a body.

Textual Amendments

F5 S. 65(1): all the definitions except that of "establishment of higher or further education" repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), Sch. 38 Pt.I, **Sch. 39** (with ss. 1(4), 561, 562, Sch. 39)

F6 Definition in s. 65(1) repealed (1.4.1994) by 1993 c. 35, s. 303(4), 307(1)(3), Sch. 19 para. 108, **Sch. 21 Pt. I**; S.I. 1994/507, art. 4, **Sch. 2**

F7 Definition inserted by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(1), 235(6), 237(1), **Sch. 12 para. 105**

66 Commencement.

- (1) Sections ^{F8} . . . 63 to 65, this section and section 67(1) ^{F8} . . . and (7) of this Act shall come into force on the passing of this Act.
- (2) Section 49 ^{F9} . . . of this Act shall come into force at the end of the period of two months beginning with the day on which this Act is passed.
- (3) The other provisions shall come into force on such date as the Secretary of State may by order appoint.

Status: Point in time view as at 01/11/1996.

Changes to legislation: Education (No. 2) Act 1986, Part V is up to date with all changes known to be in force on or before 04 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (4) Different dates may be appointed for different provisions or different purposes including, in particular, for the purpose of bringing particular provisions into force only in relation to particular schools or categories of school.
- (5) Any order under this section may make such transitional provision as appears to the Secretary of State to be necessary or expedient in connection with the provisions brought into force by the order.
- (6) Any such order may include such adaptations of the provisions which it brings into force, or of any other provisions of this Act then in force, as appear to him to be necessary or expedient for the purpose or in consequence of the operation of any provision of this Act (including, in particular, the provisions which the order brings into force) before the coming into force of any other provision.

Subordinate Legislation Made

P1 Power of appointment conferred by s. 66(3) fully exercised: [S.I. 1986/2203](#), 1987/344, 1159

Textual Amendments

F8 Words in s. 66(1) repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), Sch. 38 Pt.I, [Sch. 39](#) (with ss. 1(4), 561, 562, [Sch. 39](#))

F9 Words in s. 66(2) repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), Sch. 38 Pt.I, [Sch. 39](#) (with ss. 1(4), 561, 562, [Sch. 39](#))

67 Short title etc.

(1) This Act may be cited as the Education (No. 2) Act 1986.

^{F10}(2)

(3) This Act shall be construed as one with [^{F11}the Education Act 1996.]

(4) Schedule 4 to this Act (which makes consequential amendments) shall have effect.

^{F10}(5)

^{F10}(6)

(7) [^{F12}In this Act section 48 and this section extend to Scotland,] but otherwise this Act extends only to England and Wales.

Textual Amendments

F10 S. 67(2)(5) and (6) repealed (1.11.1996) by 1996 c. 56, ss. 582(1)(2), 583(2), Sch. 37 Pt. I para. 66(2), [Sch. 38 Pt.I](#) (with ss. 1(4), 561, 562, [Sch. 39](#))

F11 Words in s. 67(3) substituted (1.11.1996) by 1996 c. 56, ss. 582(1), 583(2), [Sch. 37 Pt. I para. 66\(3\)](#) (with ss. 1(4), 561, 562, [Sch. 39](#))

F12 Words in s. 67(7) substituted (1.11.1996) by 1996 c. 56, ss. 582(1), 583(2), [Sch. 37 Pt. I para. 66\(4\)](#) (with ss. 1(4), 561, 562, [Sch. 39](#))

Status:

Point in time view as at 01/11/1996.

Changes to legislation:

Education (No. 2) Act 1986, Part V is up to date with all changes known to be in force on or before 04 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.