



# 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 <sup>F1</sup> . . . shall be exercised by statutory instrument.
- (2) Any such statutory instrument (other than one made under section <sup>F2</sup> . . . 66, shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- <sup>F3</sup>(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.
- <sup>F4</sup>(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- F1** Words in s. 63(1) repealed (1.11.1996) by 1996 c. 56, ss. 582(2)(3), 583(2), Sch. 38 Pt.I, **Sch. 39** (with ss. 1(4), 561, 562, Sch. 39)
- F2** Words in s. 63(2) repealed (1.11.1996) by virtue of 1996 c. 56, ss. 582(2)(3), 583(2), Sch. 38 Pt.I, **Sch. 39** (with ss. 1(4), 561, 562, Sch. 39)
- F3** S. 63(2A) repealed (1.11.1996) by virtue of 1996 c. 56, ss. 582(2)(3), 583(2), Sch. 38 Pt.I, **Sch. 39** (with ss. 1(4), 561, 562, Sch. 39)
- F4** S. 63(4) repealed (1.4.1995) by 1993 c. 35, ss. 307(1)(3), 308(3), Sch. 19 para. 107(b), **Sch. 21 Pt.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



**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 02 March 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) View outstanding changes

- (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.
- <sup>F10</sup>(2) .....
- (3) This Act shall be construed as one with [<sup>F11</sup>the Education Act 1996.]
- (4) Schedule 4 to this Act (which makes consequential amendments) shall have effect.
- <sup>F10</sup>(5) .....
- <sup>F10</sup>(6) .....
- (7) [<sup>F12</sup>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](#))

**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 02 March 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 43(6)(b) substituted by [2022 asc 1 Sch. 4 para. 3\(2\)\(b\)](#)