



Education Reform Act 1988

CHAPTER 40

EDUCATION REFORM ACT 1988

PART I

SCHOOLS

CHAPTER I

THE CURRICULUM

Preliminary

- 1 Duties with respect to the curriculum.

Principal provisions

- 2 The National Curriculum.
- 3 Foundation subjects and key stages.
- 4 Duty to establish the National Curriculum by order.
- 5 Courses leading to external qualifications.

Religious education

- 6 Collective worship.
- 7 Special provisions as to collective worship in county schools.
- 8 Religious education required in the basic curriculum: further provisions.
- 9 Exceptions, special arrangements and supplementary and consequential provisions.

Duties with respect to certain requirements

- 10 Duties with respect to certain requirements.

Status: Point in time view as at 01/09/1994.

Changes to legislation: Education Reform Act 1988 is up to date with all changes known to be in force on or before 10 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)

Standing advisory councils on religious education

- 11 Standing advisory councils on religious education.
- 12 Determination by advisory councils of the cases in which the requirement for Christian collective worship is not to apply.
- 12A Power of Secretary of State to direct advisory council to revoke determination or discharge duty.
- 13 Advisory councils: supplementary provisions.

Curriculum and Assessment Councils

- 14 Establishment of Councils.
- 15 Transfers of property and staff to Councils.

Special cases

- 16 Development work and experiments.
- 17 Exceptions by regulations.
- 17A Exemption from sex education.
- 18 Pupils with statements of special educational needs.
- 19 Temporary exceptions for individual pupils.

Supplementary

- 20 Procedure for making certain orders: England.
- 21 Procedure for making certain orders: Wales.
- 22 Provision of information.
- 23 Complaints and enforcement.
- 24 Extension of certain provisions.
- 25 Interpretation of Chapter I.

CHAPTER II

ADMISSION OF PUPILS TO COUNTY AND VOLUNTARY SCHOOLS

- 26 Admissions to county and voluntary schools.
- 27 Standard numbers for admissions.
- 28 Procedure for reduction of standard number.
- 29 Special provisions in relation to admissions to primary schools.
- 30 Special arrangements in respect of admissions to aided or special agreement schools.
- 31 Consequential provisions.
- 32 Interpretation of Chapter II.

CHAPTER III

FINANCE AND STAFF

Financing of schools maintained by local education authorities

- 33 Schemes for financing county and voluntary schools.
- 34 Preparation and imposition of schemes.
- 35 Revision of schemes.
- 36 Delegation to governing body of management of school's budget share.
- 37 Withdrawal of delegation.

Status: Point in time view as at 01/09/1994.

Changes to legislation: Education Reform Act 1988 is up to date with all changes known to be in force on or before 10 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)

- 38 Schemes: determination of budget shares.
- 39 Schemes: provision for financial delegation.
- 40 Initial implementation of delegation requirements under schemes.
- 41 Extension of delegation requirement under schemes in the case of primary schools.
- 42 Publication of schemes and financial statements, etc.
- 42A Certification of statements by Audit Commission.
- 43 Application of schemes to special schools.

Financial delegation: appointment and dismissal of staff

- 44 Staff employed by the local education authority.
- 45 Staff at aided schools.
- 46 Staff: further provisions.
- 47 Community Schools.

Miscellaneous and supplementary

- 48 New schools.
- 49 Required financial delegation apart from schemes.
- 50 Financial statements in respect of schools not covered by statements under section 42.
- 51 Interpretation of Chapter III and supplementary and consequential provisions.

CHAPTER IV

GRANT-MAINTAINED SCHOOLS

Duty of Secretary of State to maintain certain schools

- 52 Duty of Secretary of State to maintain certain schools.

Government, powers and conduct

- 53 Constitution of the governing body of a grant-maintained school.
- 54 Appointment of parent governors by the governing body.
- 55 Proceedings of the governing body and allowances to members.
- 56 Governors' tenure of office.
- 57 Powers of the governing body.
- 58 Articles of government.
- 59 Instrument and articles of government: procedure.

Procedure for acquisition of grant-maintained status

- 60 Initiation of procedure for acquisition of grant-maintained status.
- 61 Ballot of parents.
- 62 Proposals for acquisition of grant-maintained status.
- 63 Publication of proposals and notice with respect to proposals.
- 64 Constitution of the initial governing body of a grant-maintained school.
- 65 Terms of office of initial governors.
- 66 Determination of the initial governors.
- 67 Provisions supplementary to section 66.
- 68 Modification of proposed membership of initial governing body before incorporation.

Status: Point in time view as at 01/09/1994.

Changes to legislation: Education Reform Act 1988 is up to date with all changes known to be in force on or before 10 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)

- 69 Provisions supplementary to section 68.
- 70 Elections required for determining initial governors: supplementary provisions.
- 71 Eligible governors for the purposes of Chapter IV.
- 72 Initial government and conduct: further provisions

Proposals under section 12 or 13 of the 1980 Act in respect of schools eligible for grant-maintained status

- 73 Proposals for alteration, etc., of schools eligible for grant-maintained status.

Transfer of property and staff, etc.

- 74 Transfer of property, etc., to governing body of grant-maintained school.
- 75 Transfer of staff to grant-maintained school.
- 76 Effect of pending procedure for acquisition of grant-maintained status on property disposals.
- 77 Wrongful disposals and contracts.
- 78 Effect of pending procedure for acquisition of grant-maintained status on appointment, etc., of staff.

Finance

- 79 Maintenance grants, special purpose grants and capital grants.
- 80 Grants: further provisions.
- 81 Recovery from local funds of sums in respect of maintenance grant.
- 82 Provisions consequential on section 81.

Admissions

- 83 Admissions.

Religious education

- 84 Religious education in former county schools.
- 85 Religious education in former controlled schools.
- 86 Religious education in former aided or special agreement schools.
- 87 Changes in religious education.
- 88 Religious education: supplementary.

Control over alteration and change of site

- 89 Change of character or enlargement of grant-maintained school.
- 90 Approval of school premises on change of character or enlargement.
- 91 Change of site.

Discontinuance of grant-maintained schools

- 92 Discontinuance by governing body.
- 93 Withdrawal of grant by Secretary of State.

Winding up and disposal of property

- 94 Winding up.
- 95 Disposal of school property.
- 96 Surplus money and investments.

Status: Point in time view as at 01/09/1994.

Changes to legislation: Education Reform Act 1988 is up to date with all changes known to be in force on or before 10 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)

- 97 Discharge, transfer and termination of liabilities, etc.
- 98 Capital expenditure: former voluntary schools.
- 99 Capital expenditure: former county schools.

Miscellaneous and supplementary

- 100 Provision of benefits and services for pupils by local education authorities.
- 101 Application of proceeds of disposal of premises.
- 102 Variation of trust deeds relating to grant-maintained schools, etc.
- 103 Publication of information and reports and returns by governing bodies of grant-maintained schools.
- 104 Interpretation of Chapter IV.

CHAPTER V

MISCELLANEOUS

City colleges

- 105 Agreements for establishment, etc., of city technology colleges and city colleges for the technology of the arts.

Charges in maintained schools

- 106 Prohibition of charges, etc., in maintained schools.
- 107 Provision for cases where education is provided partly during and partly outside school hours.
- 108 Recovery of wasted examination fees.
- 109 Permitted charges.
- 110 Charges and remissions policies.
- 111 Charges for board and lodging at boarding schools.

Miscellaneous

- 112 Extension of powers as to trusts for religious education.
- 113 Schemes under the Endowed Schools Acts.
- 114 Extension of power to require local education authority to defray expenses of establishing controlled school.
- 115 Power to determine times of school sessions, etc.
- 116 Provision for delegation of functions by governing bodies of county, voluntary and maintained special schools.

Chapter V: general and supplementary provisions

- 117 Obligation to enter pupils for prescribed public examinations.
- 118 General and supplementary provisions relating to charges.

Interpretation of Part I

- 119 Interpretation of Part I.

Status: Point in time view as at 01/09/1994.

Changes to legislation: Education Reform Act 1988 is up to date with all changes known to be in force on or before 10 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)

PART II

HIGHER AND FURTHER EDUCATION

CHAPTER I

LOCAL EDUCATION AUTHORITY FUNCTIONS WITH RESPECT TO HIGHER AND FURTHER EDUCATION

- 120 (1) A local education authority shall no longer be under...

CHAPTER II

REORGANISATION OF PROVISION AND FUNDING OF HIGHER EDUCATION

The higher education corporations

- 121 Initial incorporation of higher education institutions maintained by local education authorities.
 122 Orders incorporating higher education institutions maintained by local education authorities.
 122A Orders transferring further education corporations to higher education sector.
 123 Provisions supplementary to sections 121 and 122.
 124 Powers of a higher education corporation.
 124A Constitution and conduct of corporations.
 124B Accounts.
 124C Initial and transitional arrangements.
 124D Exercise of Powers by Privy Council.
 125 Articles of government.
 125A Charitable status of a higher education corporation.
 126 Transfer of property, etc., to higher education corporations.
 127 Transfer of staff to higher education corporations.
 128 Dissolution of higher education corporations.

Designation of certain institutions for funding by the Polytechnics and Colleges Funding Council, etc.

- 129 Designation of institutions.
 129A Government and conduct of designated institutions.
 129B Designated institutions conducted by companies.
 130 Transfer of property, etc., to certain designated institutions.

New arrangements for funding higher education

- 131 Universities Funding Council.
 132 Polytechnics and Colleges Funding Council.
 133 Payments by Polytechnics and Colleges Funding Council in respect of persons employed in the provision of higher or further education.
 134 The Funding Councils: supplementary provisions.

Supplementary

- 135 Inspection of accounts.

Status: Point in time view as at 01/09/1994.

Changes to legislation: Education Reform Act 1988 is up to date with all changes known to be in force on or before 10 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)

- 136 Transfer to Polytechnics and Colleges Funding Council of property and staff of NAB.
- 137 Control of disposals of land.
- 138 Construction of references to land held for the purposes of an institution.

CHAPTER III

Further and higher education funding schemes

- 139 Schemes for financing locally funded further and higher education.
- 140 Preparation and imposition of further and higher education funding schemes.
- 141 Replacement and variation of further and higher education funding schemes.
- 142 Delegation to governing body of management of institution's budget share.
- 143 Further and higher education funding schemes: determination of budget shares.
- 144 Further and higher education funding schemes: provision for financial delegation.
- 145 Initial implementation of further and higher education funding schemes.
- 146 Extension of further and higher education funding schemes.
- 147 Publication of further and higher education funding schemes and annual information as to their operation.

Appointment and dismissal of staff during financial delegation

- 148 Delegation of powers as to appointment and dismissal of staff.
- 149 Costs of dismissal, premature retirement or voluntary severance.

Withdrawal of delegated powers

- 150 Withdrawal of delegated powers for mismanagement, etc.

Government and conduct of maintained further and higher education institutions

- 151 Instrument and articles of government required for maintained further and higher education institutions.
- 152 Provision required in instrument and articles of government.

Government of designated assisted institutions

- 153 Government of designated assisted institutions.

Miscellaneous and supplementary

- 154 New further and higher education institutions.
- 155 Interpretation of Chapter III and supplementary provisions.

Status: Point in time view as at 01/09/1994.

Changes to legislation: Education Reform Act 1988 is up to date with all changes known to be in force on or before 10 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)

CHAPTER IV

MISCELLANEOUS AND SUPPLEMENTARY

- [156 Government and conduct of certain further and higher education institutions.
- 157 Variation of trust deeds, etc.
- 158 Reports and returns to Secretary of State.
- 159 Information with respect to educational provision in institutions providing further or higher education.
- 160 Adjustments of block grant in respect of expenditure on advanced further education.
- 161 Interpretation of Part II.

PART III

EDUCATION IN INNER LONDON

Reorganisation of provision of education in inner London

- 162 Abolition of ILEA.
- 163 New local education authorities for areas in inner London.
- 164 Extension of functions of London Residuary Body.

Disposal of functions and property of ILEA

- 165 Development plans for education.
- 166 Responsibility for schools.
- 167 Removal of certain governors.
- 168 Transfers of property, rights and liabilities.
- 169 Approval of management structure and senior appointments in initial period.

Staff

- 170 Establishment and functions of staff commission.
- 171 Remuneration of employees.
- 172 Power to transfer staff.
- 173 Compensation for loss of employment or loss or diminution of emoluments.
- 174 Continuity of employment in certain cases of voluntary transfer.
- 175 Offers of employment by inner London councils.

Functions of London Residuary Body

- 176 Provision of services and facilities by London Residuary Body.
- 177 Repayment by London Residuary Body of loans to ILEA.
- 178 Liability of London Residuary Body for redundancy and compensation payments.
- 179 Payment of pensions and pensions increase by London Residuary Body.
- 180 Custody of residuary property, etc.
- 181 Power of London Residuary Body to pay compensation.
- 182 Preparation of ILEA's final accounts.
- 183 Directions of Secretary of State.

Status: Point in time view as at 01/09/1994.

Changes to legislation: Education Reform Act 1988 is up to date with all changes known to be in force on or before 10 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)

Financial provisions and winding up of London Residuary Body

- 184 Preparatory expenditure of inner London councils.
- 185 London Residuary Body: financial provisions.
- 186 Transitional functions of London Residuary Body in respect of block grant.
- 187 Winding-up of London Residuary Body.

Control of ILEA's contracts and disposals

- 188 Control of contracts.
- 189 Control of disposals.
- 190 Wrongful contracts or disposals.
- 191 Penalties for contravention of section 188 or 189.

Miscellaneous and supplementary

- 192 Charities.
- 193 Information and access to documents.
- 194 Concurrent employment.
- 195 Continuity of exercise of functions.
- 196 Interpretation of Part III.

PART IV

MISCELLANEOUS AND GENERAL

Establishment and functions of Education Assets Board

- 197 Education Assets Board.
- 198 Transfers under Parts I and II.
- 199 Loan liabilities excepted from transfer under Part II.
- 200 Grant-maintained schools: school property.
- 201 Wrongful disposals.

Academic tenure

- 202 The University Commissioners.
- 203 Duty of Commissioners.
- 204 Powers of Commissioners.
- 205 Procedure for exercise of Commissioners' powers.
- 206 Exclusion of visitor's jurisdiction.
- 207 Power to make incidental, etc., provisions by Order in Council.
- 208 Corresponding provision for Northern Ireland.

Grants

- 209 Grants in respect of mandatory awards.
- 210 Grants for the education of travellers and displaced persons.
- 211 Grants in respect of special provision for immigrants
- 212 Grants relating to aided or special agreement schools.
- 213 Grants: miscellaneous.

Unrecognised degrees

- 214 Unrecognised degrees.
- 215 Unrecognised degrees: enforcement.

Status: Point in time view as at 01/09/1994.

Changes to legislation: Education Reform Act 1988 is up to date with all changes known to be in force on or before 10 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)

- 216 Identification of bodies granting or providing courses for recognised awards.
- 217 Unrecognised degrees: Northern Ireland and Channel Islands.

Miscellaneous provisions

- 218 School and further and higher education regulations.
- 218A Regulations under section 218(6): further provision.
- 219 Powers of Secretary of State in relation to certain educational institutions.
- 220 Extension of functions of Audit Commission.
- 221 Avoidance of certain contractual terms.
- 222 Application of employment law during financial delegation.
- 223 Temporary exclusion of section 5 of Data Protection Act 1984 in relation to data transferred to new bodies.
- 224 Superannuation for staff of Further Education Unit.
- 225 Recoupment as between local education authorities.
- 226 Services for schools in other member States providing education for British children.

Wales

- 227 Application to Wales.
- 228 Transfer of property to grant-aided institutions in Wales.
- 229 Power to make different provision for Wales in regulations under the 1944 and 1967 Acts.

Supplementary

- 230 Stamp duty.
- 231 Power to make incidental, consequential, transitional and supplementary provisions.
- 232 Orders and regulations.
- 233 Expenses.
- 234 Meaning of “assisted” for the purposes of the 1944 Act and Acts construed as one with it.
- 235 General interpretation.
- 236 Commencement.
- 237 Amendments and repeals.
- 238 Citation, extent etc.

SCHEDULES

SCHEDULE 1 — Consequential Amendments Relating to Religious Education

The Education Act 1944 (c. 31)

- 1 The following section shall be substituted for section 26 of...
- 2 (1) In section 27 of that Act (special provisions as...
- 3 (1) In section 28 of that Act (special provisions as...
- 4 The word “education” shall be substituted for the word “instruction”—...
- 5 In section 77 of that Act (inspection of educational establishments)—...
- 6 In section 114(1) of that Act (interpretation) the word “education”...
- 7 (1) In Schedule 5 to that Act (procedure for preparing...

Status: Point in time view as at 01/09/1994.

Changes to legislation: Education Reform Act 1988 is up to date with all changes known to be in force on or before 10 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)

The Child Care Act 1980 (c. 5)

8 In the Child Care Act 1980 the word “education” shall...

The Education Act 1981 (c. 60)

9

SCHEDULE 2 — The Curriculum and Assessment Councils

Preliminary

1

Status

2 The Authority shall not be regarded as a servant or...

Powers

3 The Authority shall have power to do anything which is...

4 (1) The Authority shall also have power to furnish assistance,...

Chief officer

5 (1) The Authority shall have a chief officer who shall...

Qualifications of members and tenure of office

6 (1) A person shall hold and vacate office as a...

7 (1) If the Secretary of State is satisfied that a...

Salaries, allowances and pensions for members

8 (1) The Authority— (a) shall pay the members of the...

House of Commons disqualification

9

Staff

10 (1) The Authority may, with the approval of the Secretary...

Finance

11 (1) The Secretary of State may make grants to the...

Committees

12 (1) The Authority may establish a committee for any purpose....

Delegation of functions

13 The Authority may authorise the chairman, the deputy chairman, the...

13A (1) The chairman of the School Curriculum and Assessment Authority,...

Status: Point in time view as at 01/09/1994.

Changes to legislation: Education Reform Act 1988 is up to date with all changes known to be in force on or before 10 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)

Proceedings

- 14 The validity of proceedings of the Authority shall not be...
15 The Authority shall have power to regulate its own procedure...

Application of seal and proof of instruments

- 16 The application of the seal of the Authority shall be...
17 Any document purporting to be an instrument made or issued...

Accounts

- 18 (1) It shall be the duty of the Authority—

SCHEDULE 3 — Appointment and Dismissal of School Staff, etc., during Financial Delegation

Appointment of head teacher and deputy head teacher

- 1 (1) This paragraph applies in relation to any appointment to...

Appointment of other teachers

- 2 (1) Subject to sub-paragraph (2) below, sub-paragraphs (4) to (11)...

Appointments: advice of chief education officer and head teacher

- 3 (1) The chief education officer of the local education authority...

Appointment of non-teaching staff

- 4 (1) Where the governing body of any school to which...

The clerk to the governing body

- 5 (1) In the case of any vacancy in the office...

Discipline

- 6 (1) The regulation of conduct and discipline in relation to...

Suspension

- 7 (1) In the case of any school to which section...

Dismissal, etc.

- 8 (1) Where the governing body of any school to which...
9 (1) Subject to sub-paragraph (2) below, a local education authority...

School meal staff

- 10 Nothing in paragraphs 4 and 6 to 9 above shall...

Interpretation

- 11 (1) References in this Schedule to a vacancy in any...

SCHEDULE 4 — New Schools

Status: Point in time view as at 01/09/1994.

Changes to legislation: Education Reform Act 1988 is up to date with all changes known to be in force on or before 10 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)

New county and voluntary schools: general

- 1 (1) This paragraph applies to any new school other than...

Application of schemes in relation to new schools

- 2 (1) For the purposes of that Chapter, a new school...

New special schools

- 3 (1) In sections 43 and 50 of this Act—

Staff

- 4 (1) Subject to the following provisions of this paragraph, section...

Financial delegation and statements apart from schemes

- 5 Section 49 of this Act shall not apply in relation...
6 Section 50(9) of this Act shall not apply in relation...

Supplementary

- 7 (1) Section 51(4) of this Act shall not apply in...

SCHEDULE 5 — Transition to Grant-Maintained Status

Transition to grant-maintained status

- 1 (1) Where the Secretary of State approves proposals for acquisition...
2 The provision that may be made by an order under...
3 (1) The Secretary of State may make grants to the...
4 The duty of a local education authority to maintain a...
5 At any time on or after the date on which...
6 On and after the incorporation date in relation to a...

Transition from initial governing body to regulation by instrument of government

- 7 A person who is a governor of any category (within...
8 Where the number of governors of any category for such...

Proceedings and tenure of office

- 9 The proceedings of the governing body of such a school...
10 No provision of the instrument of government for such a...
11 In relation to a member of the initial governing body...
12 For the purposes of subsection (10) of section 56, a...

SCHEDULE 6 — Courses of Higher Education

- 1 The descriptions of courses referred to in sections 120(1) and...
2 For the purposes of paragraph 1(g) above a professional examination...
3 For the purposes of paragraph 1(h) above a course is...

SCHEDULE 7 — The Higher Education Corporations

Preliminary

- 1 (1) A higher education corporation established under section 121 of...

Status: Point in time view as at 01/09/1994.

Changes to legislation: Education Reform Act 1988 is up to date with all changes known to be in force on or before 10 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)

Initial constitution

- 2 (1) Paragraphs 3 and 4 below provide for the initial...
- 3 (1) A corporation shall consist of— (a) not less than...
- 4 (1) The initial nominee members of a corporation shall consist...

Initial appointments

- 5 (1) The Secretary of State is the appointing authority for...

Determination of membership numbers

- 6 (1) Following the appointment by the Secretary of State of...

Subsequent appointments

- 7 (1) Appointments of members of a corporation at any time...

General provisions with respect to qualifications of members and tenure of office

- 8 (1) A member of a corporation shall hold and vacate...
- 9 (1) Subject to the following provisions of this paragraph, a...
- 10 If at any time a corporation are satisfied that any...

Allowances to members

- 11 A corporation shall have power to pay to the members...

Election of chairman

- 12 (1) The members of a corporation shall elect a chairman...

Committees

- 13 (1) A corporation may establish a committee for any purpose....

Proceedings

- 14 The validity of any proceedings of a corporation or of...
- 15 In the event of an equality of votes at any...

Application of seal and proof of instruments

- 16 The application of the seal of the corporation shall be...
- 17 Every document purporting to be an instrument made or issued...

Accounts

- 18 (1) It shall be the duty of each corporation—

Efficiency studies

- 19

Schedule 7A — Instruments of government made by Privy Council

Name of corporation

- 1 The instrument shall empower the corporation to change their name...

Status: Point in time view as at 01/09/1994.

Changes to legislation: Education Reform Act 1988 is up to date with all changes known to be in force on or before 10 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)

Membership

- 2 The instrument shall make provision for the membership of the...
3 (1) The corporation shall consist of— (a) not less than...

Numbers

- 4 (1) The corporation shall make a determination with respect to...

Appointments

- 5 (1) Subject to section 124C of this Act, no appointment...

Tenure of office etc.

- 6 Subject to any other requirements of this Act, the instrument...

Officers

- 7 The instrument shall provide for one or more officers to...

Committees

- 8 The instrument may provide for the corporation to establish committees...

Allowances

- 9 The instrument may provide for the corporation to pay allowances...

Seal of corporation

- 10 The instrument shall provide for the authentication of the application...

Interpretation

- 11 References in this Schedule, in relation to a corporation, to...

SCHEDULE 8 — The Funding Councils and the Assets Board

Preliminary

- 1 References below in this Schedule to the Corporation are references...

Supplementary powers

- 2 (1) Subject to sub-paragraph (2) below, the Corporation shall have...

Chief officer

- 3 (1) One of the members of the Corporation shall be...

Qualifications of members and tenure of office

- 4 (1) A person shall hold and vacate office as a...
5 If the Secretary of State is satisfied that a member...

Salaries, allowances and pensions for members

- 6 (1) The Corporation— (a) shall pay to the members of...

Status: Point in time view as at 01/09/1994.

Changes to legislation: Education Reform Act 1988 is up to date with all changes known to be in force on or before 10 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)

House of Commons disqualification

7 In Part III of Schedule 1 to the House of...

Staff

8 (1) The Corporation may appoint such employees as the Corporation...

Committees

9 (1) The Corporation may establish a committee for any purpose....

Scottish and Welsh Committees of Universities Funding Council

10 The Universities Funding Council shall establish committees under paragraph 9...

Delegation of Functions

11 The Corporation may authorise the chairman, the chief officer or...

Proceedings

12 Without prejudice to any other rights the Secretary of State...

13 The validity of any proceedings of the Corporation or of...

14 Subject to the preceding provisions of this Schedule, the Corporation...

Application of seal and proof of instruments

15 The application of the seal of the Corporation shall be...

16 Every document purporting to be an instrument made or issued...

Accounts

17 (1) It shall be the duty of the Corporation—

SCHEDULE 9 — Determination of Full-time Equivalent Enrolment Numbers

Full-time equivalent enrolment numbers

1 (1) The full-time equivalent enrolment number at any time of...

Table for determining full-time equivalents for sandwich courses and part-time study

2 The following table applies for the purpose of determining the...

Interpretation of paragraphs 1 and 2

3 (1) For the purposes of paragraph 1(1)(a) above a student...

Amendment of paragraphs 1 to 3

4 The Secretary of State may by order amend paragraphs 1...

Exclusion of non-EEC students

5 For the purpose of determining under those paragraphs the full-time...

SCHEDULE 10 — Supplementary Provisions with respect to Transfers

Status: Point in time view as at 01/09/1994.

Changes to legislation: Education Reform Act 1988 is up to date with all changes known to be in force on or before 10 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)

Division and apportionment of property etc.

- 1 (1) Any property, rights and liabilities of a transferor authority...

Identification of property, rights and liabilities

- 2 (1) It shall be the duty of the transferor and...
3 (1) The Education Assets Board shall notify the Secretary of...

Right to production of documents of title

- 4 (1) Where a transfer to which this Schedule applies relates...

Proof of title by certificate

- 5 The Education Assets Board may issue a certificate stating that...

Construction of agreements

- 6 (1) Where in the case of any transfer to which...
7 (1) Without prejudice to the generality of paragraph 6 above,...
8 The provisions of paragraphs 6 and 7 above shall have...

Third parties affected by vesting provisions

- 9 (1) Without prejudice to the generality of paragraphs 6 to...

Delivery of documents to transferee

- 10 When it appears to the Education Assets Board, in the...

SCHEDULE 11 — The University Commissioners

Appointment

- 1 (1) The Secretary of State shall appoint five persons to...

Tenure of office

- 2 (1) A person may at any time by notice in...

Duration

- 3 (1) Subject to sub-paragraph (2) below, the Commissioners' duties and...

Powers

- 4 The Commissioners shall have power to do anything which appears...

Remuneration

- 5 The Secretary of State may pay the Commissioners such remuneration...

Staff

- 6 (1) The Commissioners may appoint such employees as they think...

Expenses

- 7 The expenses of the Commissioners shall be defrayed by the...

Status: Point in time view as at 01/09/1994.

Changes to legislation: Education Reform Act 1988 is up to date with all changes known to be in force on or before 10 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)

Proceedings

8 (1) The Secretary of State shall appoint one of the...

SCHEDULE 12 — Minor and Consequential Amendments

Part I — AMENDMENTS RELATING TO GRANT-MAINTAINED SCHOOLS

The Education Act 1944 (c. 31)

1 (1) Section 10 of the 1944 Act (requirements as to...
2 In section 48(4) of that Act (medical inspection and treatment...
3 Until the coming into force of paragraph 56 below, section...
4 (1) Section 67 of that Act (determination of disputes and...
5 In section 80(1) of that Act (registration of pupils at...
6 In section 81(a) of that Act (regulations empowering local education...
7 (1) Section 114(1) of that Act (interpretation) shall be amended...

The Education (Miscellaneous Provisions) Act 1953 (c. 33)

8 In section 2(b) of the Education (Miscellaneous Provisions) Act 1953...

The Charities Act 1960 (c. 58)

9
10

The Local Authorities (Goods and Services) Act 1970 (c. 39)

11 (1) Subject to sub-paragraph (2) below, in the Local Authorities...

The Tribunals and Inquiries Act 1971 (c. 62)

12

The Local Government Act 1972 (c. 70)

13 In section 134 of the Local Government Act 1972 (use...

The Education (Work Experience) Act 1973 (c. 23)

14 In section 1 of the Education (Work Experience) Act 1973...

The Sex Discrimination Act 1975 (c. 65)

15 In section 22 of the Sex Discrimination Act 1975 (discrimination...
16 In section 25(6)(c)(i) of that Act (general duty in public...
17 In paragraph 1 of Schedule 2 to that Act (transitional...

The Race Relations Act 1976 (c. 74)

18 In section 17 of the Race Relations Act 1976 (discrimination...
19 In section 19(6)(c)(i) of that Act (general duty in public...

The National Health Service Act 1977 (c. 49)

20 In section 5(1)(a) of the National Health Service Act 1977...
21 In paragraph 3 of Schedule 1 to that Act (duty...
22 In paragraph 1(1) of Schedule 8 to that Act (care...

Status: Point in time view as at 01/09/1994.

Changes to legislation: Education Reform Act 1988 is up to date with all changes known to be in force on or before 10 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)

The Employment Protection (Consolidation) Act 1978 (c. 44)

23 In section 29(1) of the Employment Protection (Consolidation) Act 1978...

The Education Act 1980 (c. 20)

24 In section 22 of the 1980 Act (provision of meals...
25 Section 27 of that Act shall apply to any grant-maintained...

The Education Act 1981 (c. 60)

26
27
28

The Local Government (Miscellaneous Provisions) Act 1982 (c. 30)

29 (1) Section 40 of the Local Government (Miscellaneous Provisions) Act...

The Representation of the People Act 1983 (c. 2)

30 In section 95(2) of the Representation of the People Act...
31 In section 96(2)(a) of that Act (use of schools for...
32 In paragraph 1(1) of Schedule 5 to that Act (arrangements...

The Building Act 1984 (c. 55)

33

The Education (No. 2) Act 1986 (c. 61)

34 After sections 44 to 46 of the 1986 Act (which...
35 In section 47(5)(a) of that Act (abolition of corporal punishment),...
36 In section 49(3) of that Act (appraisal of performance of...
37 In section 62(1)(a) of that Act (access to papers etc....

The Teachers' Pay and Conditions Act 1987 (c. 1)

38
39

Part II — AMENDMENTS CONSEQUENTIAL ON ABOLITION OF ILEA

40

The Local Government Act 1972 (c. 70)

41 In section 70 of the Local Government Act 1972 (restriction...
42 In section 78(2) of that Act (electoral arrangements: supplementary),
for...
43 In section 146A(1)(a) of that Act (miscellaneous powers of local...
44 In section 177(2) of that Act (allowances to members of...
45 In section 236(1) of that Act (byelaws), for the words...
46 In section 238 of that Act (evidence of byelaws), for...
47, 48
49

Status: Point in time view as at 01/09/1994.

Changes to legislation: Education Reform Act 1988 is up to date with all changes known to be in force on or before 10 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)

The Representation of the People Act 1983 (c. 2)

- 50 In section 35(4) of the Representation of the People Act...
- 51 In section 40(2) of that Act (timing as to local...

The Health Service Joint Consultative Committees (Access to Information) Act 1986 (c. 24)

- 52 In section 1(1) of the Health Service Joint Consultative Committees...

The Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33)

- 53 (1) Section 7 of the Disabled Persons (Services, Consultation and...
 Part III — OTHER AMENDMENTS

The Education Act 1944 (c. 31)

- 54 In section 53(1) of the 1944 Act (provision of facilities...
- 55 (1) Section 55 of that Act (provision of transport and...
- 56 (1) Section 62 of that Act (duties of Secretary of...
- 57 In section 77(1) of that Act (inspection of educational establishments),...
- 58 In section 80 of that Act (registration of pupils at...
- 59 In section 90(1) of that Act (compulsory purchase of land...

The Education Act 1946 (c. 50)

- 60 In section 16(1) of the Education Act 1946 (interpretation) after...

The Education (Miscellaneous Provisions) Act 1948 (c. 40)

- 61 In section 5(3) of the Education (Miscellaneous Provisions) Act 1948
 —...
- 62 In section 10(2) of that Act (power of local education...

The Charities Act 1960 (c. 58)

- 63
- 64

The Factories Act 1961 (c. 34)

- 65 In section 97(7) of the Factories Act 1961 (facilities for...

The Veterinary Surgeons Act 1966 (c. 36)

- 66 In Schedule 3 to the Veterinary Surgeons Act 1966 (treatment...

The Parliamentary Commissioner Act 1967 (c. 13)

- 67 In Schedule 2 to the Parliamentary Commissioner Act 1967 (which...

The Local Authorities (Goods and Services) Act 1970 (c. 39)

- 68

The Chronically Sick and Disabled Persons Act 1970 (c. 44)

- 69 (1) Section 8(2) of the Chronically Sick and Disabled Persons...
- 70

Status: Point in time view as at 01/09/1994.

Changes to legislation: Education Reform Act 1988 is up to date with all changes known to be in force on or before 10 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)

The Local Government Act 1974 (c. 7)

71 In paragraph 5(2) of Schedule 5 to the Local Government...

The Sex Discrimination Act 1975 (c. 65)

72 In section 22 of the Sex Discrimination Act 1975 (discrimination...
73 In section 24(2) of that Act (power to designate institutions)—...
74 In section 25(6)(c) of that Act (general duty in public...
75 In section 28 of that Act (exception for physical training),...
76 In section 82(1) of that Act (interpretation), in the definition...
77 In paragraph 4 of Schedule 2 to that Act (transitional...

The Race Relations Act 1976 (c. 74)

78 In section 17 of the Race Relations Act 1976 (discrimination...
79 In section 19(6)(c) of that Act (general duty in public...

The Employment Protection (Consolidation) Act 1978 (c. 44)

80 In section 29(1) of the Employment Protection (Consolidation) Act 1978...

The Education Act 1980 (c. 20)

81 In section 16 of the 1980 Act (provisions supplementary to...
82 (1) Section 27 of the 1980 Act (school and further...

The Education Act 1981 (c. 60)

83
84
85

The Agricultural Training Board Act 1982 (c. 9)

86 (1) Section 4 of the Agricultural Training Board Act 1982...

The Industrial Training Act 1982 (c. 10)

87 (1) Section 5 of the Industrial Training Act 1982 (functions...
88 In section 13(1) of that Act (proposals for exemption certificates)—...
89 In section 14 (exemption certificates), in subsection (1) for the...

The Local Government (Miscellaneous Provisions) Act 1982 (c. 30)

90 In section 40(2) of the Local Government (Miscellaneous Provisions) Act...

The Education (Fees and Awards) Act 1983 (c. 40)

91 (1) Section 1 of the Education (Fees and Awards) Act...

The Further Education Act 1985 (c. 47)

92 (1) Section 1 of the Further Education Act 1985 (supply...
93 (1) Section 2 of that Act (powers of local authorities...
94 In section 3(8)(a) (financial and accounting provisions), for the word...

Status: Point in time view as at 01/09/1994.

Changes to legislation: Education Reform Act 1988 is up to date with all changes known to be in force on or before 10 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)

The Housing Act 1985 (c. 68)

95 In paragraph 10(4) of Schedule 1 to the Housing Act...

The Agricultural Holdings Act 1986 (c. 5)

96 In paragraph 2 of Schedule 6 to the Agricultural Holdings...

The Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33)

97 (1) Section 5 of the Disabled Persons (Services, Consultation and...

98 In section 6(1) of that Act (review of dates when...

The Education (No. 2) Act 1986 (c. 61)

99 In section 18(6)(c)(ii) of the 1986 Act (school curriculum in...

100 (1) Section 43 of that Act (freedom of speech in...

101 (1) Section 49(3) of that Act (appraisal of performance of...

102 In section 54 of that Act (change of status of...

103 (1) Section 58 of that Act (travelling and subsistence allowances...

104 In section 61(1) of that Act (minimum age for governors...

105 In section 65(1) of that Act (interpretation) after the definition...

106 The following paragraph shall be substituted for paragraph 16 of...

The Local Government Act 1988 (c. 9)

107 In paragraph 5(4) of Schedule 1 to the Local Government...

SCHEDULE 13 — Repeals

Part I — REPEALS COMING INTO FORCE ON ABOLITION OF ILEA

Part II — OTHER REPEALS

Status:

Point in time view as at 01/09/1994.

Changes to legislation:

Education Reform Act 1988 is up to date with all changes known to be in force on or before 10 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.