

Changes to legislation: Education Reform Act 1988, Paragraph 3 is up to date with all changes known to be in force on or before 14 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

SCHEDULES

SCHEDULE 10

SUPPLEMENTARY PROVISIONS WITH RESPECT TO TRANSFERS

Modifications etc. (not altering text)

- C1** Sch. 10: functions conferred by [The Education \(Inner London Education Authority\) \(Transfer of Functions\) Order 1991 \(S.I.1991/1457\)](#), **arts. 2(b), 3**
Sch. 10 applied (with modifications) (1.4.1999 in relation to s. 74 of the amending Act and 1.9.1999 in relation to Sch. 21 of the amending Act) by [School Standards and Framework Act 1998 \(c. 31\)](#), s. 74, **Sch. 21 Pt. I para. 2(3)** (with ss. 138(9), 144(6)); S.I. 1999/1016, art. 2(1), **Sch. 1**, s. 74; S.I. 1999/2323, art. 2(1), **Sch.**
Power to amend conferred (1.2.1999) by [School Standards and Framework Act 1998 \(c. 31\)](#), s. 137(4) **(a)** (with ss. 138(9), 144(6)); S.I. 1999/120, art. 2(1), **Sch. 1** (with art. 4).
Sch. 10 applied (with modifications) (1.1.2001) by [The Education \(New Procedures for Property Transfers\) Regulations 2000 \(S.I. 2000/3209\)](#), regs. 5, 6, 7, **Sch. 1**
Sch. 10 modified (E.) (1.1.2001) by [The Education \(New Procedures for Property Transfers\) Regulations 2000 \(S.I. 2000/3209\)](#), **regs. 15, 17**, (with regs. 18, 19)
Sch. 10 modified (W.) (1.9.2001) by [The Change of Category of Maintained Schools \(Wales\) Regulations 2001 \(S.I. 2001/2678\)](#), reg. 16, **Sch. 4 para. 2**
- C1** Sch. 10 applied (E.) (25.5.2007) by [The School Governance \(Federations\) \(England\) Regulations 2007 \(S.I. 2007/960\)](#), regs. 1(1), **41(2)**, 46(2)
- C1** Sch. 10 applied (W.) (12.4.2010) by [The Federation of Maintained Schools and Miscellaneous Amendments \(Wales\) Regulations 2010 \(S.I. 2010/638\)](#), regs. 1(1), **80(2)**, 86(2)
- C1** Sch. 10 applied (1.9.2012) by [The School Governance \(Federations\) \(England\) Regulations 2012 \(S.I. 2012/1035\)](#), **regs. 1, 13(2)**, 33(2), 39(2) (with reg. 2)
- C1** Sch. 10 modified (1.10.2013) by [School Standards and Organisation \(Wales\) Act 2013 \(anaw 1\)](#), s. 100(4), **Sch. 4 para. 9**; S.I. 2013/1800, art. 3(h)
- C1** Sch. 10 applied (22.5.2014) by [The Federation of Maintained Schools \(Wales\) Regulations 2014 \(S.I. 2014/1132\)](#), **regs. 1(1), 84(2)**, 91(2)

[^{F1} Resolution of disputes]

Textual Amendments

- F1** Crossheading and Sch. 10 para. 3 substituted for Sch. 10 para. 3 (1.2.1999) by [1998 c. 31, s. 137](#), **Sch. 29 para.5** (with ss. 138(9), 144(6)); S.I. 1999/120, art. 2(1), **Sch. 1** (with art. 4).

- ^{F1}[3] (1) The Education Transfer Council shall notify the Secretary of State if it appears to them that it is unlikely in the case of any matter on which agreement is required to be reached under paragraph 2(1) above that such an agreement will be reached.
- (2) Where the Secretary of State has received a notification from the Council under subparagraph (1) above, he may, whether before or after the transfer date, give a direction

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determining that matter, and may include in the direction any provision which might have been included in an agreement under paragraph 2(1) above.

- (3) Any property, rights or liabilities required by a direction under this paragraph to be transferred to the transferee shall be regarded as having been transferred to, and by virtue of this Act vested in, the transferee on the transfer date.
- (4) The Secretary of State shall consult the transferor, the transferee and any other interested person before giving a direction under this paragraph.
- (5) The Education Transfer Council shall give the Secretary of State such assistance and advice as he may require for the purpose of determining any matter under this paragraph.]

Textual Amendments

- F1** Sch. 10 para. 3 and crossheading substituted for Sch. 10 para. 3 (1.2.1999) by 1998 c. 31, s. 137, **Sch. 29 para.5**; S.I. 1999/120, art. 2(1), **Sch. 1** (with art. 4).

Modifications etc. (not altering text)

- C1** Sch. 10 para. 3 applied (with modifications) (10.3.1999) by S.I. 1999/362, **reg. 54(6)(a)**.
 Sch. 10 para. 3 applied (with modifications) (E.) (31.12.1999) by S.I. 1999/362, **reg. 54A(1)**, 54C(1) (as substituted (E.) (31.12.1999) by S.I. 1999/3297, **reg. 2**)
 Sch. 10 paras. 2-10 applied (with modifications) (W.) (31.7.2000) by S.I. 1999/362, **reg. 54A(1)** (as substituted (W.) (31.7.2000) by 2000/1867, reg. 2, Sch.)
 Sch. 10 paras. 1-3 applied (with modifications) (1.1.2001) by S.I. 2000/3209, **reg. 5(2)**, **Sch. 1**

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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. 120(4A) inserted by [2022 asc 1 Sch. 4 para. 5\(2\)](#)
- s. 124A(9A)(9B) inserted by [2022 asc 1 s. 137\(3\)](#)
- s. 125(8)(9) inserted by [2022 asc 1 s. 138\(2\)](#)
- s. 128(1)(b)(iib) omitted by [2011 c. 21 Sch. 16 para. 8](#)
- s. 128(1)(b)(iia) omitted by [2015 c. 20 Sch. 14 para. 35](#)
- s. 128(1A)-(1C) inserted by [2022 asc 1 s. 139\(3\)](#)
- s. 128(7)-(10) inserted by [2022 asc 1 s. 139\(6\)](#)
- s. 232(4ZA)-(4ZC) inserted by [2022 asc 1 s. 138\(3\)\(b\)](#)