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*Changes to legislation: There are currently no known outstanding effects for the Education Reform Act 1988, SCHEDULE 12. (See end of Document for details)*

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# SCHEDULES

## SCHEDULE 12

Section 237.

### MINOR AND CONSEQUENTIAL AMENDMENTS

#### PART I

#### AMENDMENTS RELATING TO GRANT-MAINTAINED SCHOOLS

##### *The Education Act 1944 (c. 31)*

F1<sub>1</sub> .....

.....  
**Textual Amendments**

**F1** Sch. 12 Pt. I para. 1 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

F2<sub>2</sub> .....

.....  
**Textual Amendments**

**F2** Sch. 12 Pt. I para. 2 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

F3<sub>3</sub> .....

.....  
**Textual Amendments**

**F3** Sch. 12 Pt. I para. 3 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

F4<sub>4</sub> .....

.....  
**Textual Amendments**

**F4** Sch. 12 Pt. I para. 4 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

F5<sub>5</sub> .....

*Changes to legislation: There are currently no known outstanding effects for the Education Reform Act 1988, SCHEDULE 12. (See end of Document for details)*

**Textual Amendments**

**F5** Sch. 12 Pt. I para. 5 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

**F6** .....

**Textual Amendments**

**F6** Sch. 12 Pt. I para. 6 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

**F7** .....

**Textual Amendments**

**F7** Sch. 12 Pt. I para. 7 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

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

**F8** .....

**Textual Amendments**

**F8** Sch. 12 Pt. I para. 8 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

*The Charities Act 1960 (c. 58)*

**F9** .....

**Textual Amendments**

**F9** Sch. 12 para. 9 repealed (1.8.1993) by 1993 c. 10, ss. 98(2), 99(1), **Sch.7**

**F10** .....

**Textual Amendments**

**F10** Sch. 12 para. 10 repealed (1.8.1993) by 1993 c. 10, ss. 98(2), 99(1), **Sch.7**

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

**F11** .....

*Changes to legislation: There are currently no known outstanding effects for the Education Reform Act 1988, SCHEDULE 12. (See end of Document for details)*

**Textual Amendments**

**F11** Sch. 12 Pt. I para. 11 repealed (1.9.1999) by 1998 c. 31, s. 140(3), **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**.

*The Tribunals and Inquiries Act 1971 (c. 62)*

**F12**<sub>12</sub> .....

**Textual Amendments**

**F12** Sch. 12 Pt. I para. 12 repealed (1. 10. 1992) by **Tribunals and Inquiries Act 1992 (c. 53)**, ss. 18(2), 19(2), **Sch. 4 Pt.I**.

*The Local Government Act 1972 (c. 70)*

**F13**<sub>13</sub> .....

**Textual Amendments**

**F13** Sch. 12 Pt. I para. 13 repealed (1.9.1999) by 1998 c. 31, s. 140(3), **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**.

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

**F14**<sub>14</sub> .....

**Textual Amendments**

**F14** Sch. 12 Pt. I para. 14 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, **Sch. 39**).

*The Sex Discrimination Act 1975 (c. 65)*

**F15**<sub>15</sub> .....

**Textual Amendments**

**F15** Sch. 12 Pt. I para. 15 repealed (1.9.1999) by 1998 c. 31, s. 140(3), **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**.

**F16**<sub>16</sub> .....

**Textual Amendments**

**F16** Sch. 12 Pt. I para. 16 repealed (1.9.1999) by 1998 c. 31, s. 140(3), **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**.

*Changes to legislation: There are currently no known outstanding effects for the Education Reform Act 1988, SCHEDULE 12. (See end of Document for details)*

F17 17 .....

**Textual Amendments**  
F17 Sch. 12 para. 17 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

*The Race Relations Act 1976 (c. 74)*

F18 18 .....

**Textual Amendments**  
F18 Sch. 12 Pt. I para. 18 repealed (1.9.1999) by 1998 c. 31, s. 140(3), **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**.

F19 19 .....

**Textual Amendments**  
F19 Sch. 12 Pt. I para. 19 repealed (1.9.1999) by 1998 c. 31, s. 140(3), **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1** and expressed to be repealed (2.4.2001) by 2000 c. 34, s. 9(2), **Sch. 3** (with s. 10(5)); S.I. 2001/566, art. 2(1)

*The National Health Service Act 1977 (c. 49)*

F20 20 .....

**Textual Amendments**  
F20 Sch. 12 Pt. I para. 20 repealed (1.9.1999) by 1998 c. 31, s. 140(3), **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**.

F21 21 .....

**Textual Amendments**  
F21 Sch. 12 Pt. I para. 21 repealed (1.9.1999) by 1998 c. 31, s. 140(3), **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**.

F22 22 .....

**Textual Amendments**  
F22 Sch. 12 Pt. I para. 22 repealed (1.9.1999) by 1998 c. 31, s. 140(3), **Sch.31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**.

*Changes to legislation: There are currently no known outstanding effects for the Education Reform Act 1988, SCHEDULE 12. (See end of Document for details)*

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

F23 23 .....

**Textual Amendments**

**F23** Sch. 12 Pt. I para. 23 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt.I**.

*The Education Act 1980 (c. 20)*

F24 24 .....

**Textual Amendments**

**F24** Sch. 12 Pt. I para. 24 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, **Sch. 39**).

F25 25 .....

**Textual Amendments**

**F25** Sch. 12 Pt. I para. 25 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, **Sch. 39**).

*The Education Act 1981 (c. 60)*

F26 26 .....

**Textual Amendments**

**F26** Sch. 12 para. 26 repealed (1.4.1994) by 1993 c. 35, s. 307(1)(3), Sch. 19 para. 45, **Sch. 21Pt. I**; S.I. 1994/507, art. 4(1), **Sch. 2A**appendix.

F27 27 .....

**Textual Amendments**

**F27** Sch. 12 paras. 27-28 repealed (1.9.1994) by 1993 c. 35, s. 307(1)(3), Sch. 19 para. 145, **Sch. 21Pt. I**; S.I. 1994/2038, art. 3(1), **Sch. 2A**appendix.

F28 28 .....

**Textual Amendments**

**F28** Sch. 12 paras. 27-28 repealed (1.9.1994) by 1993 c. 35, s. 307(1)(3), Sch. 19 para. 145, **Sch. 21Pt. I**; S.I. 1994/2038, art. 3(1), **Sch. 2A**appendix.

*Changes to legislation: There are currently no known outstanding effects for the Education Reform Act 1988, SCHEDULE 12. (See end of Document for details)*

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

- 29 (1) Section 40 of the Local Government (Miscellaneous Provisions) Act 1982 (nuisance and disturbance on educational premises) shall be amended as follows.
- (2) In subsection (2), after paragraph (a) there shall be inserted the following paragraph  
  - “(aa) of a grant-maintained school; or”.
- (3) In subsection (4), for the words from “or special” to “governors” there shall be substituted the words “special agreement or grant-maintained school, by a person whom the governing body of the school”.
- (4) In subsection (5), for the words from “school” to the end there shall be substituted the words “or grant-maintained school without first obtaining the consent of the governing body of the school”.
- (5) In subsection (7), for the words from “or special” to “governors” there shall be substituted the words “special agreement or grant-maintained school may be brought by a person whom the governing body of the school”.
- (6) In subsection (8), for the words from “school” to the end there shall be substituted the words “or grant-maintained school without first obtaining the consent of the governing body of the school”.

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

F29 30 .....

**Textual Amendments**  
**F29** Sch. 12 Pt. I para. 30 repealed (1.9.1999) by 1998 c. 31, s. 140(3) Sch.31 (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), Sch. 1.

F30 31 .....

**Textual Amendments**  
**F30** Sch. 12 Pt. I para. 31 repealed (1.9.1999) by 1998 c. 31, s. 140(3), Sch.31 (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), Sch. 1.

32 In paragraph 1(1) of Schedule 5 to that Act (arrangements for use of school room for parliamentary election meetings), after the words “the school” there shall be inserted the words “or, in the case of a room in the premises of a grant-maintained school, with the governing body of the school”.

*The Building Act 1984 (c. 55)*

F31 33 .....

*Changes to legislation: There are currently no known outstanding effects for the Education Reform Act 1988, SCHEDULE 12. (See end of Document for details)*

**Textual Amendments**

**F31** Sch. 12 para. 33 repealed (1.4.1994) by 1993 c. 35, s. 307(1)(3), Sch. 19 para. 145, **Sch. 21**, Pt.I; S.I. 1994/507, art. 4(1), **Sch. 2**Appendix.

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

**F32**34 .....

**Textual Amendments**

**F32** Sch. 12 Pt. I para. 34 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

**F33**35 .....

**Textual Amendments**

**F33** Sch. 12 Pt. I para. 35 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

**F34**36 .....

**Textual Amendments**

**F34** Sch. 12 Pt. I para. 36 repealed (1.9.1999) by 1998 c. 31, s. 140(3), **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**.

**F35**37 .....

**Textual Amendments**

**F35** Sch. 12 Pt. I para. 37 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

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

**F36**38 .....

**Textual Amendments**

**F36** Sch. 12 Pt. I para. 38 repealed (6. 3. 1992) by School Teachers' Pay and Conditions Act 1991 (c. 49, SIF 41:1), s. 6(3), **Sch.2**; S.I. 1992/532, **art.3**.

**F37**39 .....

*Changes to legislation: There are currently no known outstanding effects for the Education Reform Act 1988, SCHEDULE 12. (See end of Document for details)*

**Textual Amendments**

**F37** Sch. 12 Pt. I para. 39 repealed (6. 3. 1992) by [School Teachers' Pay and Conditions Act 1991 \(c. 49, SIF 41\)](#), s. 6(3), [Sch. 2](#); [S.I. 1992/532](#), [art.3](#).

**PART II**

AMENDMENTS CONSEQUENTIAL ON ABOLITION OF ILEA

40 ..... **F38**

**Textual Amendments**

**F38** Sch. 12 para. 40 repealed by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 3, [Sch. 1 Part I](#)

*The Local Government Act 1972 (c. 70)*

41 In section 70 of the Local Government Act 1972 (restriction on promotion of Bills to change local government areas), for the words “Neither a” there shall be substituted the word “No”.

42 In section 78(2) of that Act (electoral arrangements: supplementary), for the words from “in paragraphs” to the end there shall be substituted the words “in Schedule 11 to this Act”.

43 In section 146A(1)(a) of that Act (miscellaneous powers of local authorities) for the words “local authorities” there shall be substituted the words “a local authority”.

44 In section 177(2) of that Act (allowances to members of local authorities: supplementary), for “(ab)” there shall be substituted “(ac)”.

**F39**45 .....

**Textual Amendments**

**F39** Sch. 12 paras. 45, 46 repealed (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), [Sch. 7 Pt. 4](#); [S.I. 2009/107](#), [art. 2\(1\)](#), [Sch. 1 Pt. 1](#)

**F39**46 .....

**Textual Amendments**

**F39** Sch. 12 paras. 45, 46 repealed (9.2.2009) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), [Sch. 7 Pt. 4](#); [S.I. 2009/107](#), [art. 2\(1\)](#), [Sch. 1 Pt. 1](#)

47, 48 ..... **F40**



*Changes to legislation: There are currently no known outstanding effects for the Education Reform Act 1988, SCHEDULE 12. (See end of Document for details)*

**Textual Amendments**

**F40** Sch. 12 paras. 47, 48 repealed by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#), s. 194(2), [Sch. 12 Part I](#)

49 ..... **F41**

**Textual Amendments**

**F41** Sch. 12 para. 49 repealed (1.1.1991 save as mentioned in [S.I. 1990/2437](#), [art. 3\(3\)](#)) by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), s. 203(3), [Sch. 21](#)

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

50 In section 35(4) of the Representation of the People Act 1983 (returning officers for local elections), for “3A” there shall be substituted “3”.

51 In section 40(2) of that Act (timing as to local elections), for the words “the Local Government Act 1972 and Part III of the Local Government Act 1985” there shall be substituted the words “and the Local Government Act 1972”.

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

<sup>F42</sup>52 .....

**Textual Amendments**

**F42** Sch. 12 para. 52 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 7](#)

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

53 (1) Section 7 of the Disabled Persons (Services, Consultation and Representation) Act 1986 (persons discharged from hospital) shall be amended as follows.

(2) In subsection (1)(c) for the words “or authority” there shall be substituted the words “of that local authority”.

(3) In subsection (9) the following definition shall be substituted for the definition of “the appropriate officer or authority”—

““the appropriate officer” of a local authority is such officer discharging functions of that authority in their capacity as a [<sup>F43</sup>local authority], or in Scotland an education authority, as may be appointed by the authority for the purposes of this section;”.

**Textual Amendments**

**F43** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), [Sch. 2 para. 4\(2\)](#)

*Changes to legislation: There are currently no known outstanding effects for the Education Reform Act 1988, SCHEDULE 12. (See end of Document for details)*

**PART III**

**OTHER AMENDMENTS**

*The Education Act 1944 (c. 31)*

F44 54 .....

**Textual Amendments**  
F44 Sch. 12 Pt. III para. 54 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

F45 55 .....

**Textual Amendments**  
F45 Sch. 12 Pt. III para. 55 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

F46 56 .....

**Textual Amendments**  
F46 Sch. 12 Pt. III para. 56 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

F47 57 .....

**Textual Amendments**  
F47 Sch. 12 Pt. III para. 57 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

F48 58 .....

**Textual Amendments**  
F48 Sch. 12 Pt. III para. 58 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

F49 59 .....

**Textual Amendments**  
F49 Sch. 12 Pt. III para. 59 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

*Changes to legislation: There are currently no known outstanding effects for the Education Reform Act 1988, SCHEDULE 12. (See end of Document for details)*

*The Education Act 1946 (c. 50)*

<sup>F50</sup>60 .....

**Textual Amendments**

**F50** Sch. 12 Pt. III para. 60 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

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

<sup>F51</sup>61 .....

**Textual Amendments**

**F51** Sch. 12 Pt. III para. 61 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

<sup>F52</sup>62 .....

**Textual Amendments**

**F52** Sch. 12 Pt. III para. 62 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

*The Charities Act 1960 (c. 58)*

<sup>F53</sup>63 .....

**Textual Amendments**

**F53** Sch. 12 para. 63 repealed (1.8.1993) by 1993 c. 10, ss. 98(2), 99(1), **Sch.7**

<sup>F54</sup>64 .....

**Textual Amendments**

**F54** Sch. 12 para. 64 repealed (1.8.1993) by 1993 c. 10, ss. 98(2), 99(1), **Sch.7**

*The Factories Act 1961 (c. 34)*

<sup>F55</sup>65 .....

**Textual Amendments**

**F55** Sch. 12 para. 65 repealed (22.7.2004) by Statute Law (Repeals) Act 2004 (c. 14), **Sch. 1 Pt. 7**

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*Changes to legislation:* There are currently no known outstanding effects for the Education Reform Act 1988, SCHEDULE 12. (See end of Document for details)

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*The Veterinary Surgeons Act 1966 (c. 36)*

- 66 In Schedule 3 to the Veterinary Surgeons Act 1966 (treatment and operations which may be given or carried out by unqualified persons), in Part 1, for the words from “and in this paragraph “recognised institution”” to the end there shall be substituted the following paragraph—

“In the foregoing paragraph “recognised institution” means—

- (a) as respects England and Wales—
- (i) an institution maintained or assisted by a [<sup>F43</sup>local authority];
  - (ii) any other institution which provides higher education or further education (or both) and as respects which a grant is paid by the Secretary of State; or
  - (iii) an institution recognised by the Secretary of State for the purposes of the foregoing paragraph;
- (b) as respects Scotland—
- (i) a further education college administered by an education authority;
  - (ii) a central institution within the meaning of the Education (Scotland) Act 1980; or
  - (iii) an institution recognised by the Secretary of State for the purposes of the foregoing paragraph; and
- (c) as respects Northern Ireland, an agricultural college maintained by the Department of Agriculture for Northern Ireland;

and expressions used in paragraph (a) of this paragraph and in the Education Act 1944 have the same meanings as in that Act.”

**Textual Amendments**

- F43** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 4(2)**

*The Parliamentary Commissioner Act 1967 (c. 13)*

- 67 In Schedule 2 to the Parliamentary Commissioner Act 1967 (which lists the bodies subject to the jurisdiction of the Parliamentary Commissioner), there shall be inserted (at the appropriate place in alphabetical order)—

“Education Assets Board”.

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

- <sup>F56</sup>68 .....

**Textual Amendments**

- F56** Sch. 12 para. 68 repealed (1. 4. 1993) by [Further and Higher Education Act 1992 \(c. 13\)](#), s. 93, Sch. 8 Pt. I para. 66, **Sch.9**; S.I. 1992/831, art. 2, **Sch.3**.

*Changes to legislation: There are currently no known outstanding effects for the Education Reform Act 1988, SCHEDULE 12. (See end of Document for details)*

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

69 (1) Section 8(2) of the Chronically Sick and Disabled Persons Act 1970 (access to, and facilities at, educational institutions) shall be amended as follows.

<sup>F57</sup>(2) .....

(3) For paragraph (b) there shall be substituted the following paragraph—

“(b) schools and institutions which provide higher education or further education (or both) and are maintained or assisted by [<sup>F43</sup>local authorities”].

<sup>F58</sup>(4) .....

**Textual Amendments**

- F43** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 4(2)**
- F57** Sch. 12 para. 69(2) repealed (1. 4. 1993) by [Further and Higher Education Act 1992 \(c. 13\)](#), s. 93, Sch. 8 Pt. I para. 66, **Sch. 9**; S.I. 1992/831, art. 2, **Sch. 3**.
- F58** Sch. 12 Pt. III para. 69(4) repealed (1.11.1996) by [1996 c. 56](#), ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

<sup>F59</sup>70 ..... <sup>F60</sup>

**Textual Amendments**

- F59** Sch. 12 para. 70 expressed to be repealed (1. 4. 1993) by [Further and Higher Education Act 1992 \(c. 13\)](#), s. 93, Sch. 8 Pt. I para. 66, **Sch.9**; S.I. 1992/831, art. 2, **Sch.3**.
- F60** Sch. 12 para. 70 repealed by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 3, **Sch. 1 Part I**

*The Local Government Act 1974 (c. 7)*

71 In paragraph 5(2) of Schedule 5 to the Local Government Act 1974 (matters not subject to investigation by Local Commissioner) for the words from “whether”, in the second place where it occurs, to the end there shall be substituted the words “in any school or other educational establishment maintained by the authority”.

*The Sex Discrimination Act 1975 (c. 65)*

72 In section 22 of the Sex Discrimination Act 1975 (discrimination by bodies in charge of educational establishments), in the Table, after paragraph 4 there shall be inserted the following paragraph—

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“4A. Institution within the PCFC                      Governing body.”  
funding sector (within the meaning of  
the Education Act 1944).

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73 In section 24(2) of that Act (power to designate institutions)—  
(a) paragraph (a) shall be omitted; and

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(b) in paragraph (c), for the words “in accordance with a scheme approved under section 42” there shall be substituted the words “for the purposes”.

74 In section 25(6)(c) of that Act (general duty in public sector of education)—

- (a) in sub-paragraph (i) after “3” there shall be inserted “4A”; and
- (b) in sub-paragraph (ii) the words “(a) or” shall be omitted.

F6175 .....

**Textual Amendments**  
**F61** Sch. 12 para. 75 repealed (1.10.2005) by [Employment Equality \(Sex Discrimination\) Regulations 2005 \(S.I. 2005/2467\)](#), regs. 1(1), **23(2)(b)**

F6276 .....

**Textual Amendments**  
**F62** Sch. 12 Pt. III para. 76 repealed (1.11.1996) by [1996 c. 56, ss. 582\(2\), 583, Sch. 38 Pt.I](#) (with [ss. 1\(4\), 561, 562, Sch. 39](#)).

F6377 .....

**Textual Amendments**  
**F63** Sch. 12 Pt. III para. 77 repealed (1.11.1996) by [1996 c. 56, ss. 582\(2\), 583, Sch. 38 Pt.I](#) (with [ss. 1\(4\), 561, 562, Sch. 39](#)).

*The Race Relations Act 1976 (c. 74)*

78 In section 17 of the Race Relations Act 1976 (discrimination by bodies in charge of educational establishments), in the Table, after paragraph 4 there shall be inserted the following paragraph—

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“4A. Institution within PCFC funding      Governing body.”  
sector (within the meaning of the  
Education Act 1944).

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F6479 .....

**Textual Amendments**  
**F64** Sch. 12 para. 79 repealed (2.4.2001) by [2000 c. 34, s. 9\(2\), Sch. 3](#) (with [s. 10\(5\)](#)); [S.I. 2001/566](#), **art. 2(1)**

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

F6580 .....

*Changes to legislation: There are currently no known outstanding effects for the Education Reform Act 1988, SCHEDULE 12. (See end of Document for details)*

**Textual Amendments**

**F65** Sch. 12 Pt. III para. 80 repealed (22.8.1996) by 1996 c. 18, ss. 242, 243, **Sch. 3 Pt.I**.

*The Education Act 1980 (c. 20)*

**F66**81 .....

**Textual Amendments**

**F66** Sch. 12 Pt. III para. 81 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, **Sch. 39**).

**F67**82 .....

**Textual Amendments**

**F67** Sch. 12 Pt. III para. 82 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, **Sch. 39**).

*The Education Act 1981 (c. 60)*

**F68**83 .....

**Textual Amendments**

**F68** Sch. 12 paras. 83-85 repealed (1.9.1994) by 1993 c. 35, s. 307(1)(3), Sch. 19 para. 145, **Sch. 21Pt. I**; S.I. 1994/2038, art. 3(1), **Sch. 2Appendix**.

**F69**84 .....

**Textual Amendments**

**F69** Sch. 12 paras. 83-85 repealed (1.9.1994) by 1993 c. 35, s. 307(1)(3), Sch. 19 para. 145, **Sch. 21Pt. I**; S.I. 1994/2038, art. 3(1), **Sch. 2Appendix**.

**F70**85 .....

**Textual Amendments**

**F70** Sch. 12 paras. 83-85 repealed (1.9.1994) by 1993 c. 35, s. 307(1)(3), Sch. 19 para. 145, **Sch. 21Pt. I**; S.I. 1994/2038, art. 3(1), **Sch. 2Appendix**.

*The Agricultural Training Board Act 1982 (c. 9)*

**F71**86 .....

*Changes to legislation: There are currently no known outstanding effects for the Education Reform Act 1988, SCHEDULE 12. (See end of Document for details)*

#### Textual Amendments

**F71** Sch. 12 para. 86 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 2](#) Group 2

#### *The Industrial Training Act 1982 (c. 10)*

- 87 (1) Section 5 of the Industrial Training Act 1982 (functions of industrial training boards) shall be amended as follows.
- (2) In subsections (1)(c) and (4)(c), for the words “further education” there shall be substituted the words “post-school education”.
- <sup>F72</sup>(3) .....

#### Textual Amendments

**F72** Sch. 12 Pt. III para. 87(3) repealed (1.11.1996) by [1996 c. 56, ss. 582\(2\), 583](#), [Sch. 38 Pt.I](#) (with ss. 1(4), 561, 562, [Sch. 39](#)).

- 88 In section 13(1) of that Act (proposals for exemption certificates)—
- (a) in paragraph (a) for the words “further education” there shall be substituted the words “post-school education”; and
- (b) after the words “in this subsection” there shall be inserted the words ““post-school education” has the same meaning as in section 5 above and”.
- 89 In section 14 (exemption certificates), in subsection (1) for the words “further education” there shall be substituted the words “post-school education”; and after that subsection there shall be inserted the following subsection—
- “(1A) In subsection (1) above “post-school education” has the same meaning as in section 5 above.”

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

<sup>F73</sup>90 .....

#### Textual Amendments

**F73** Sch. 12 para. 90 repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 7](#)

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

- 91 (1) Section 1 of the Education (Fees and Awards) Act 1983 (fees at certain further education establishments) shall be amended as follows.
- (2) In subsection (3), for paragraphs (b) and (c) there shall be substituted the following paragraphs—
- “(b) any institution within the PCFC funding sector; and
- (c) any institution which provides higher education or further education (or both) and is either maintained by a [<sup>F43</sup>local authority] or falls within subsection (3A) below; and



*Changes to legislation: There are currently no known outstanding effects for the Education Reform Act 1988, SCHEDULE 12. (See end of Document for details)*

- (d) any further education institution in Scotland which is administered by an education authority.”
- (3) After that subsection there shall be inserted the following subsection—
- “(3A) An institution falls within this subsection if it is substantially dependent for its maintenance on public funds and either is specified in the regulations or is of a class or description so specified.”.
- (4) In subsection (4), after the words “Education (Scotland) Act 1980” there shall be inserted the words “and expressions used in this section and in the Education Act 1944 have the same meaning as in that Act”.

#### Textual Amendments

**F43** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), [Sch. 2 para. 4\(2\)](#)

#### *The Further Education Act 1985 (c. 47)*

- 92 (1) Section 1 of the Further Education Act 1985 (supply of goods and services through further education establishments) shall be amended as follows.
- (2) In subsection (1), for the words “a further education establishment” there shall be substituted the words “an institution which provides higher education or further education (or both)”.
- (3) In subsection (2), for the word “establishment” there shall be substituted the word “institution”.
- 93 (1) Section 2 of that Act (powers of local authorities with respect to agreements for supply of goods and services through further education establishments) shall be amended as follows.
- (2) In subsection (1)(a), for the words “a further education establishment provided by them” there shall be substituted the words “an institution which is maintained by them and provides higher education or further education (or both)”.
- (3) In subsection (2), for paragraphs (a) and (b) there shall be substituted the following paragraphs—
- “(a) to a corporation established under section 121 or 122 of the Education Reform Act 1988;
- (b) to a company responsible for conducting an institution which—
- (i) provides higher education or further education (or both);
- and
- (ii) is either within the PCFC funding sector or is assisted by a <sup>F43</sup>local authority];
- (c) where such an institution as is mentioned in paragraph (b) above is not conducted by a company, to the governing body of the institution; or
- (d) to a body corporate in which such a corporation or company as is mentioned in paragraph (a) or (b) above has a holding such as is mentioned in subsection (8) below.”.

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- (4) In subsection (2), for the words “establishment which he provides” there shall be substituted the words “institution conducted by the corporation, company or governing body”.
- (5) In subsection (8), for the words “and (2)(b)” there shall be substituted the words “and (2)(d)”.

**Textual Amendments**

**F43** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 4(2)**

- 94 In section 3(8)(a) (financial and accounting provisions), for the word “establishment”, in both places where it occurs, there shall be substituted the word “institution”.

*The Housing Act 1985 (c. 68)*

- 95 In paragraph 10(4) of Schedule 1 to the Housing Act 1985 (tenancies which are not secure tenancies), in the definition of “educational establishment”, for the words “establishment of further education” there shall be substituted the words “institution which provides higher education or further education (or both); and for the purposes of this definition “higher education” and “further education” have the same meaning as in the Education Act 1944”.

*The Agricultural Holdings Act 1986 (c. 5)*

- 96 In paragraph 2 of Schedule 6 to the Agricultural Holdings Act 1986 (eligibility to apply for new tenancy on death or retirement of former tenant), for the words “establishment of further education” there shall be substituted the words “establishment of higher or further education”.

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

- 97 (1) Section 5 of the Disabled Persons (Services, Consultation and Representation) Act 1986 (disabled persons leaving special education) shall be amended as follows.
- (2) In subsections (3)(a), (6)(b) and (9), for the words “a further education establishment” there shall be substituted the words “an establishment of higher or further education”.
- (3) In subsection (9), after the definition of “child” there shall be inserted the following definition—
- ““establishment of higher or further education” means an institution which provides higher education or further education (or both);”.
- 98 In section 6(1) of that Act (review of dates when disabled persons are expected to leave full-time education)—
- (a) for the words “a further education establishment” there shall be substituted the words “an establishment of higher or further education”; and
- (b) in paragraph (b), for the words “further education establishments” there shall be substituted the words “establishments of higher or further education”.

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

<sup>F74</sup>99 .....

**Textual Amendments**

**F74** Sch. 12 Pt. III para. 99 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).

100 (1) Section 43 of that Act (freedom of speech in educational establishments) shall be amended as follows.

<sup>F75</sup>(2) .....

(3) In subsection (5), for paragraph (b) there shall be substituted the following paragraph

—  
“(b) any establishment of higher or further education which is maintained by a [<sup>F43</sup>local authority];”.

(4) In subsection (5)(c)—

- (a) for the words “further education” there shall be substituted the words “further or higher education”; and
- (b) for the word “establishment”, in the second place where it occurs, there shall be substituted the word “institution”.

**Textual Amendments**

**F43** Words in Act substituted (5.5.2010) by **The Local Education Authorities and Children’s Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158)**, **Sch. 2 para. 4(2)**

**F75** Sch. 12 para. 100(2) repealed (1. 4. 1993) by **Further and Higher Education Act 1992 (c. 13)**, s. 93, Sch. 8 Pt. I para. 66, **Sch.9**; S.I. 1992/831, art. 2, **Sch.3**.

101 (1) Section 49(3) of that Act (appraisal of performance of teachers) shall be amended as follows.

(2) In paragraph (c), for the words “further education establishment provided” there shall be substituted the words “establishment of higher or further education maintained”.

(3) In paragraph (d)—

- (a) for the words “further education establishment” there shall be substituted the words “establishment of higher or further education”; and
- (b) for the word “establishment”, in the second place where it occurs, there shall be substituted the word “institution”.

<sup>F76</sup>(4) .....

(5) In paragraph (e), for the word “(d)” there shall be substituted the word “(da)”.

(6) In paragraph (f), for the words “further education establishment” there shall be substituted the words “establishment of higher or further education”.

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#### Textual Amendments

**F76** Sch. 12 para. 101(4) repealed (1. 4. 1993) by [Further and Higher Education Act 1992 \(c. 13\)](#), s. 93, [Sch. 8 Pt. I para. 66](#), [Sch.9](#); S.I. 1992/831, art. 2, [Sch.3](#).

<sup>F77</sup>102 .....

#### Textual Amendments

**F77** Sch. 12 Pt. III para. 102 repealed (1.11.1996) by [1996 c. 56](#), ss. 582(2), 583, [Sch. 38 Pt.I](#) (with ss. 1(4), 561, 562, [Sch. 39](#)).

<sup>F78</sup>103 .....

#### Textual Amendments

**F78** Sch. 12 Pt. III para. 103 repealed (1.11.1996) by [1996 c. 56](#), ss. 582(2), 583, [Sch. 38 Pt.I](#) (with ss. 1(4), 561, 562, [Sch. 39](#)).

104 In section 61(1) of that Act (minimum age for governors of certain educational establishments), for the words from “(a) which is” to “of government” there shall be substituted the words “which is maintained by a [<sup>F43</sup>local authority] and which provides higher education or further education (or both)”.

#### Textual Amendments

**F43** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), [Sch. 2 para. 4\(2\)](#)

105 In section 65(1) of that Act (interpretation) after the definition of “co-opted governor” there shall be inserted the following definition—  
““establishment of higher or further education” means an institution which provides higher education or further education (or both);”.

<sup>F79</sup>106 .....

#### Textual Amendments

**F79** Sch. 12 Pt. III para. 106 repealed (1.11.1996) by [1996 c. 56](#), ss. 582(2), 583, [Sch. 38 Pt.I](#) (with ss. 1(4), 561, 562, [Sch. 39](#)).

#### *The Local Government Act 1988 (c. 9)*

107 In paragraph 5(4) of Schedule 1 to the Local Government Act 1988 (catering to which the competition provisions of that Act apply) for the words from “for which” to the end there shall be substituted the words “which is maintained by a [<sup>F43</sup>local authority] and provides higher education or further education (or both)”.

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**Changes to legislation:** *There are currently no known outstanding effects for the Education Reform Act 1988, SCHEDULE 12. (See end of Document for details)*

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**Textual Amendments**

**F43** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 4(2)**

**Changes to legislation:**

There are currently no known outstanding effects for the Education Reform Act 1988,  
SCHEDULE 12.