

Changes to legislation: Education Reform Act 1988, Cross Heading: *The Education (No. 2) Act 1986 (c. 61)* is up to date with all changes known to be in force on or before 28 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 12

MINOR AND CONSEQUENTIAL AMENDMENTS

PART III

OTHER AMENDMENTS

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

^{F1}99

Textual Amendments

F1 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 III para. 99 repealed (1.11.1996) by 1996 c. 56, ss. 582(2), 583, **Sch. 38 Pt.I** (with ss. 1(4), 561, 562, Sch. 39).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.

^{F2}(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 [^{F3}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

F2 Sch. 12 para. 100(2) repealed (1. 4. 1993) by Further and Higher Education Act 1992 (c. 13), s. 93, Sch. 8 Pt.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**.

F3 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)**

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”.

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(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”.

^{F4}(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”.

Textual Amendments

F4 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](#).

^{F5}102

Textual Amendments

F5 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](#)).

^{F6}103

Textual Amendments

F6 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 [^{F3}local authority] and which provides higher education or further education (or both)”.

Textual Amendments

F3 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);”.

^{F7}106

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Textual Amendments

- F7** 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](#)).

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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\(3\)\(b\)](#)