



# Education Act 1993

## 1993 CHAPTER 35

### PART II

#### GRANT-MAINTAINED SCHOOLS

#### CHAPTER V

##### GOVERNMENT, CONDUCT ETC. OF GRANT-MAINTAINED SCHOOLS

##### *General and supplementary*

#### **79 Saving for defects in selection or nomination**

- (1) The proceedings of the governing body of a grant-maintained school shall not be invalidated by any defect in any procedure required under this Chapter in relation to the determination of any person to hold office as an initial governor.
- (2) This section does not prejudice the generality of paragraph 11 of Schedule 5 to this Act.

#### **80 Chapter V: interpretation**

- (1) This section applies for the purposes of this Chapter.
- (2) References to the authority responsible for election arrangements under the Education (No. 2) Act 1986 in relation to a school are references to the authority or body by whom all necessary arrangements for any election of parent governors or teacher governors to the governing body of the school fall to be made under section 15(2) of that Act (which imposes responsibility for those arrangements on the local education authority in relation to county, controlled and maintained special schools and on the governing body of the school concerned in relation to aided and special agreement schools).
- (3) References, in relation to a vacancy for a governor of an elected category on the existing governing body of a school in respect of which proposals are required to be

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*Status: This is the original version (as it was originally enacted).*

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or have been published under section 32 of this Act and in sections 71(7) and 74(2) of this Act, to the procedure applicable under the Education (No. 2) Act 1986 are references—

- (a) except where any provision made by virtue of section 5 of that Act (appointment of parent governors by governing body) applies, to the holding of an election under that Act, and
  - (b) where any such provision applies, to the making of an appointment in accordance with that provision.
- (4) A person named in proposals for acquisition of grant-maintained status in respect of a school as a proposed initial governor of any category shall be treated as becoming prospectively disqualified for holding office as such a governor on the proposed governing body if an event occurs in relation to him which, if—
- (a) it had occurred on or after the incorporation date, and
  - (b) the instrument prescribed under section 56 of this Act for the governing bodies of schools of the kind in question had then been in force,
- would have caused him to become disqualified for holding such office.