



# Education Act 1993 (repealed)

## 1993 CHAPTER 35

### PART II

#### GRANT-MAINTAINED SCHOOLS

#### CHAPTER VII

##### ALTERATION ETC. OF GRANT-MAINTAINED SCHOOLS

#### **101 Power to transfer functions under preceding provisions etc.**

- (1) The Secretary of State may by order provide for this Part of this Act to have effect with the modifications in subsections (2) to (7) below in relation to any proposals published by the governing body of a grant-maintained school under section 96 of this Act after the coming into force of the order.
- (2) The governing body shall submit a copy of the proposals to the funding authority as well as to the Secretary of State.
- (3) Any objections under subsection (6) of that section to the proposals shall be submitted to the funding authority instead of to the Secretary of State.
- (4) If any objection is made under subsection (6) of that section within the period allowed under that subsection and not withdrawn in writing within that period, then, not later than one month after the end of that period—
  - (a) the funding authority shall send to the Secretary of State copies of all such objections made (and not withdrawn in writing) together with their observations on them, and
  - (b) may themselves submit to the Secretary of State an objection to the proposals.
- (5) Sections 98(1) and 100(3) of this Act shall not apply to the proposals unless—
  - (a) the Secretary of State gives notice to the funding authority within two months after the submission to him of the published proposals that the proposals require his approval, or

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**Status:** Point in time view as at 01/04/1994. This version of this provision has been superseded.

**Changes to legislation:** There are currently no known outstanding effects for the Education Act 1993 (repealed), Section 101. (See end of Document for details)

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- (b) objections have been made under subsection (6) of section 96 of this Act within the period allowed under that subsection (unless all objections so made have been withdrawn in writing within that period).
- (6) Where sections 98(1) and 100(3) of this Act do not apply to the proposals—
  - (a) the proposals shall require the approval of the funding authority,
  - (b) the funding authority may reject them, approve them without modification or, after consulting the governing body, approve them with such modifications as they think desirable, and
  - (c) where the governing body are required to implement the proposals under section 100 of this Act, the funding authority may at their request modify the proposals.
- (7) Paragraph 20 of Schedule 2 to this Act shall not apply in relation to the proposals.
- (8) In this Part of this Act—
  - (a) references to approval under, or the requirements of, section 98 of this Act include approval under, or the requirements of, this section, and
  - (b) references to the modification of proposals under section 100(3) of this Act include the modification of proposals under subsection (6)(c) above.
- (9) This section does not apply to proposals published under section 272 of this Act (to which this Chapter is applied by subsection (3)); and section 100(3) is not disapplied by this section in the case of proposals treated (by virtue of section 273(6) of this Act) for the purposes of this Part of this Act as if they had been approved under section 98 of this Act.

**Status:**

Point in time view as at 01/04/1994. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Education Act 1993 (repealed), Section 101.