



Education Act 1996

1996 CHAPTER 56

PART III

GRANT-MAINTAINED SCHOOLS

CHAPTER X

GENERAL AND MISCELLANEOUS

Interpretation

311 Interpretation of Part III

(1) In this Part—

“Church in Wales school” means a school in the Province of Wales in which the religious education provided is provided in accordance with the faith and practice of the Church in Wales and “appropriate diocesan authority”, in relation to such a school, means the Diocesan Board of Finance for the diocese of the Church in Wales in which the school is situated or such other person as the Secretary of State may by order designate in respect of that diocese;

“Church of England school” means a school in the Province of Canterbury or York in which the religious education provided is provided in accordance with the faith and practice of the Church of England and “appropriate diocesan authority”, in relation to such a school, means the Diocesan Board of Education for the diocese of the Church of England in which the school is situated;

“premises” includes any interest in or easement, right or charge in, to or over premises;

“Roman Catholic Church school” means a school in which the religious education provided is provided in accordance with the faith and practice of the Roman Catholic Church and “appropriate diocesan authority”, in relation

Status: This is the original version (as it was originally enacted).

to such a school, means the bishop of the Roman Catholic diocese in which the school is situated.

- (2) Before making an order in respect of any diocese in Wales in exercise of the power conferred by the definition of “appropriate diocesan authority” the Secretary of State shall consult the bishop for the diocese.
- (3) The following provisions apply for the purposes of this Part.
- (4) References to the character of a school are to the kind of school it is, determined by any matter relating to—
 - (a) the provision of education at the school, or
 - (b) the arrangements for admission of pupils to the school,the alteration of which would amount to a change in the character of the school.
- (5) The transfer to a reception class of pupils who have been admitted to a school for nursery education shall be treated as admission to the school.
- (6) References, in relation to proposals under this Part, to the date of publication of the proposals are—
 - (a) to the date on which the requirements of this Part, or of regulations made by virtue of this Part, with respect to the publication of the proposals (or of any notice relating to the proposals) are satisfied, or
 - (b) where different requirements are satisfied on different dates, to the last of those dates,and references to the time at which such proposals are published shall be construed accordingly.
- (7) In this Part references to “local government electors for the area” are references to such electors for the local education authority area in which the school in question is, or is to be, situated.
- (8) Nothing in this Part, or in any order made under it, relating to the trusts subject to which any land or other property or rights transferred under this Part are to be held by the transferee shall be taken as prejudicing any modification of those trusts after that transfer under any provision of this Part or otherwise.