

**Changes to legislation:** Education Act 1997, SCHEDULE 7 is up to date with all changes known to be in force on or before 09 April 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 7

Section 57(1).

#### MINOR AND CONSEQUENTIAL AMENDMENTS

##### *Public Records Act 1958 (c. 51)*

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

#### Textual Amendments

- F1** Sch. 7 para. 1 repealed (1.4.2010) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), s. 269(4), **Sch. 16 Pt. 4**; S.I. 2010/1151, art. 2, Sch. 1

F2 .....

#### Textual Amendments

- F2** Sch. 7 para. 2 and cross-heading repealed (1.4.2010) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), s. 269(4), **Sch. 16 Pt. 4**; S.I. 2010/1151, art. 2, Sch. 1

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

##### *Superannuation Act 1972 (c. 11)*

- 3 (1) In Schedule 1 to the Superannuation Act 1972, in the list of Other Bodies (bodies in respect of which there are superannuation schemes)—
- (a) omit the entries relating to the Curriculum and Assessment Authority for Wales and the School Curriculum and Assessment Authority; <sup>F3</sup>...
  - <sup>F3</sup>(b) .....
- (2) Section 1 of that Act (persons to or in respect of whom benefits may be provided by schemes under that section) shall apply to persons who at any time before the coming into force of section 21 of this Act have ceased to serve in employment with the National Council for Vocational Qualifications.

#### Textual Amendments

- F3** Sch. 7 para. 3(1)(b) and preceding word repealed (1.4.2010) by [Apprenticeships, Skills, Children and Learning Act 2009 \(c. 22\)](#), s. 269(4), **Sch. 16 Pt. 4**; S.I. 2010/1151, art. 2, Sch. 1

#### Commencement Information

- I1** Sch 7 para. 3 wholly in force at 1.3.1998; Sch. 7 para. 3 not in force at Royal Assent see s. 58(3); Sch. 7 para. 3(1) in force at 1.10.1997 except so far as it omits the entry relating to SCAA by [S.I. 1997/1468](#),

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**art. 2 Sch. 1 Pt. III**; Sch. 7 para. 3(1) in force at 1.3.1998 insofar as not already in force and Sch. 7 para. 3(2) in force at 1.3.1998 by **S.I. 1998/386**, **art. 2**, **Sch. 1 Pt. I**

*House of Commons Disqualification Act 1975 (c. 24)*

- 4 (1) Part III of Schedule 1 to the House of Commons Disqualification Act 1975 (disqualifying offices) shall be amended as follows.
  - (2) Omit the entries relating to the Curriculum and Assessment Authority for Wales and the School Curriculum and Assessment Authority.
  - <sup>F4</sup>(3) .....
  - (4) Omit the entry relating to the National Council for Vocational Qualifications.

**Textual Amendments**

**F4** Sch. 7 para. 4(3) repealed (1.4.2010) by **Apprenticeships, Skills, Children and Learning Act 2009 (c. 22)**, s. 269(4), **Sch. 16 Pt. 4**; **S.I. 2010/1151**, art. 2, Sch. 1

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**Commencement Information**

**I2** Sch 7 para. 4 wholly in force at 1.3.1998; Sch. 7 para. 4 not in force at Royal Assent see s. 58(3); Sch. 7 para. 4 in force at 1.10.1997 except so far as it omits the entry relating to SCAA by **S.I. 1997/1468**, **art. 2 Sch. 1 Pt. III**; Sch. 7 para. 4 in force at 1.3.1998 insofar as not already in force by **S.I. 1998/386**, art. 2, **Sch. 1 Pt. I**

*Local Government Finance Act 1982 (c. 32)*

<sup>F5</sup> .....

**Textual Amendments**

**F5** Sch. 7 para. 5 repealed (11.9.1998) by **1998 c. 18**, ss. 54(3), 55(2), **Sch.5**

*Finance Act 1991 (c. 31)*

<sup>F6</sup> .....

**Textual Amendments**

**F6** Sch. 7 para. 6 repealed (27.7.1999 with effect as mentioned in s. 59(3)(b) of the repealing Act) by **1999 c. 16**, s. 139, **Sch. 20 Pt. III(15)**

*Charities Act 1993 (c. 10)*

<sup>F7</sup> .....

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**Textual Amendments**

**F7** Sch. 7 para. 7 repealed (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), s. 355, **Sch. 10** (with s. 20(2), **Sch. 8**)

*Nursery Education and Grant-Maintained Schools Act 1996 (c. 50)*

**F8** .....

**Textual Amendments**

**F8** Sch. 7 para. 8 repealed (1.4.2003 for E.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), **Sch. 22 Pt. 3** (with ss. 210(8), 214(4)); S.I. 2003/124, art. 4

*Education Act 1996 (c. 56)*

9 (1) Section 3 of the Education Act 1996 (definition of pupil etc.) shall be amended as follows.

(2) At the end of subsection (1) insert—

“and references to pupils in the context of the admission of pupils to, or the exclusion of pupils from, a school are references to persons who following their admission will be, or (as the case may be) before their exclusion were, pupils as defined by this subsection.”

(3) **F9** .....

**Textual Amendments**

**F9** Sch. 7 para. 9(3) repealed (1.10.2002 for E., 1.9.2003 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), **Sch. 22 Pt. 3** (with ss. 210(8), 214(4)); S.I. 2002/2439, art. 3; S.I. 2003/1718, art. 5, **Sch. Pt. II**

10 In section 4(2) of that Act (schools: general)—

(a) for “For” substitute “ Nothing in subsection (1) shall be taken to preclude the making of arrangements under section 19(1) (exceptional educational provision) under which part-time education is to be provided at a school; and for ”; and

(b) omit “(pupil referral units)”.

11 In section 6(1) of that Act (nursery schools), for “the age of five” substitute “ compulsory school age ”.

12 In section 14(4) of that Act (functions of <sup>F10</sup>local authority] in respect of provision of primary and secondary schools), for “the age of five” substitute “ compulsory school age ”.

**Textual Amendments**

**F10** 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. 8(2)**

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13 In section 17(2) of that Act (powers of <sup>F10</sup>local authority] in respect of nursery education), for “the age of five”, in both places, substitute “ compulsory school age ”.

**Textual Amendments**  
**F10** 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. 8(2)**

<sup>F11</sup>14 .....

**Textual Amendments**  
**F11** Sch. 7 para. 14 repealed (1.9.2003 for E.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), **Sch. 22 Pt. 3** (with ss. 210(8), 214(4)); S.I. 2003/1667, art. 4

<sup>F12</sup>15 .....

**Textual Amendments**  
**F12** Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by [1998 c. 31](#), s. 140(1)(3), [Sch. 30 para.223](#), **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**

<sup>F13</sup>16 .....

**Textual Amendments**  
**F13** Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by [1998 c. 31](#), s. 140(1)(3), [Sch. 30 para.223](#), **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**

<sup>F14</sup>17 .....

**Textual Amendments**  
**F14** Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by [1998 c. 31](#), s. 140(1)(3), [Sch. 30 para.223](#), **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**

<sup>F15</sup>18 .....

**Textual Amendments**  
**F15** Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by [1998 c. 31](#), s. 140(1)(3), [Sch. 30 para.223](#), **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**

<sup>F16</sup>19 .....

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**Textual Amendments**

**F16** Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, Sch. 31 (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), Sch.1

**F17**20 .....

**Textual Amendments**

**F17** Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, Sch. 31 (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), Sch.1

**F18**21 .....

**Textual Amendments**

**F18** Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, Sch. 31 (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), Sch.1

**F19**22 .....

**Textual Amendments**

**F19** Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, Sch. 31 (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), Sch.1

23 In section 312(2)(c) of that Act (meaning of “learning difficulty” for the purposes of the Act)—  
(a) for “the age of five” substitute “ compulsory school age ”, and  
(b) omit “or over”.

24 In section 332(1) of that Act (duty of Health Authority or National Health Service Trust to notify parent where child has special educational needs), for “the age of five” substitute “ compulsory school age ”.

**F20**25 .....

**Textual Amendments**

**F20** Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, Sch. 31 (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), Sch.1

26 Omit sections 358 to 361 of that Act (provisions about Curriculum Authorities).

**Commencement Information**

**I3** Sch. 7 para. 26 wholly in force at 11.3.1998; Sch.7 para. 26 not in force at Royal Assent see s. 58(3); Sch. 7 para. 26 in force at 1.10.1997 insofar as it omits ss. 360, 361 by S.I. 1997/1468, art.2, Sch. 1 Pt. III and in force at 1.3.1998 insofar as not already in force by S.I. 1998/386, art. 2, Sch. 1 Pt. I

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- [<sup>F21</sup>In section 362(7) of that Act (development work and experiments)—
- (a) for “the School Curriculum and Assessment Authority” substitute “ the Qualifications and Curriculum Authority ”; and
  - (b) for “the Curriculum and Assessment Authority for Wales” substitute “ the Qualifications, Curriculum and Assessment Authority for Wales ”.]

#### Textual Amendments

**F21** Sch. 7 paras. 27, 28 repealed (1.10.2002 for E. for specified purposes, 20.1.2003 for E in so far as not already in force) by Education Act 2002 (c. 32), s. 216(4), Sch. 22 Pt. 3 (with ss. 210(8), 214(4)); S.I. 2002/2439, art. 3; S.I. 2002/2952, art. 2

#### Commencement Information

**I4** Sch. 7 paras. 27, 28 wholly in force at 1.10.1997 see s. 58(3) and S.I. 1997/1468, arts. 2, 4, Sch. 1 Pt. III, Sch. 2 Pt. II (subject to transitional provisions in Sch. 2 Pt. II)

28

- [<sup>F22</sup>In section 368(10) of that Act (procedure for making certain orders and regulations)—
- (a) for “the School Curriculum and Assessment Authority” substitute “ the Qualifications and Curriculum Authority ”; and
  - (b) for “the Curriculum and Assessment Authority for Wales” substitute “ the Qualifications, Curriculum and Assessment Authority for Wales ”.]

#### Textual Amendments

**F22** Sch. 7 paras. 27, 28 repealed (1.10.2002 for E. for specified purposes, 20.1.2003 for E in so far as not already in force) by Education Act 2002 (c. 32), s. 216(4), Sch. 22 Pt. 3 (with ss. 210(8), 214(4)); S.I. 2002/2439, art. 3; S.I. 2002/2952, art. 2

#### Commencement Information

**I5** Sch. 7 paras. 27, 28 wholly in force at 1.10.1997 see s. 58(3) and S.I. 1997/1468, arts. 2, 4, Sch. 1 Pt. III, Sch. 2 Pt. II (subject to transitional provisions in Sch. 2 Pt. II)

29

- In section 391(10) of that Act (functions of advisory councils)—
- <sup>F23</sup>(a) . . . . .
  - (b) for “the Curriculum and Assessment Authority for Wales” substitute “ the Qualifications, Curriculum and Assessment Authority for Wales ”.

#### Textual Amendments

**F23** Sch. 7 para. 29(a) repealed (1.4.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(4), Sch. 16 Pt. 4; S.I. 2010/1151, art. 2, Sch. 1

30

- In section 408 of that Act (provision of information)—
- (a) in subsection (1)(a), after “this Part” insert “ or Part V of the Education Act 1997 ”; and
  - (b) in subsection (4)(f), omit “, 400, 401”.

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**Commencement Information**

**16** Sch. 7 para. 30 wholly in force; Sch. 7 para. 30 not in force at Royal Assent see s. 58(3); Sch. 7 para. 30(a) in force at 1.10.1997 by S.I. 1997/1468, art. 2, **Sch. 1 Pt. III**; Sch. 7 para. 30(b) in force at 1.9.2001 by S.I. 2001/1215, art. 2

F24 31 .....

**Textual Amendments**

**F24** Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**

F25 32 .....

**Textual Amendments**

**F25** Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**

F26 33 .....

**Textual Amendments**

**F26** Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**

F27 34 .....

**Textual Amendments**

**F27** Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**

F28 35 .....

**Textual Amendments**

**F28** Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch.1**

F29 36 .....

**Textual Amendments**

**F29** Sch. 7 para. 36 repealed (1.4.2003 for E., 9.1.2004 for W.) by Education Act 2002 (c. 32), s. 216(4), **Sch. 22 Pt. 3** (with ss. 210(8), 214(4)); S.I. 2003/124, art. 4; S.I. 2003/2961, art. 7, Sch. Pt. IV

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37 In section 537(4) of that Act (power of Secretary of State to require information from governing bodies etc.), at the end add “ ; and regulations under this section may provide that, in such circumstances as may be prescribed, the provision of information to a person other than the Secretary of State is to be treated, for the purposes of any provision of such regulations or this section, as compliance with any requirement of such regulations relating to the provision of information to the Secretary of State. ”

38 For the cross-heading “CORPORAL PUNISHMENT” preceding section 548 of that Act substitute—

“ PUNISHMENT AND RESTRAINT OF PUPILS

*Corporal punishment”.*

39 In section 551 of that Act (regulations as to the duration of the school day, etc.), after subsection (1) insert—

“(1A) In subsection (1) the reference to the duration of the school year at any such schools is a reference to the number of school sessions that must be held during any such year.”

F30 40 .....

**Textual Amendments**  
F30 Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, Sch. 31 (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), Sch.1

41 In section 571 of that Act (publication of guidance)—  
(a) in subsection (1) for “of the provisions mentioned in subsection (2) below” substitute “ provision of this Act ”; and  
(b) omit subsection (2).

42 At the end of section 578 of that Act (“the Education Acts”) add—  
“the Education Act 1997.”

43 In section 579(1) of that Act (general interpretation), after the definition of “school day” insert—  
““school year”, in relation to a school, means the period beginning with the first school term to begin after July and ending with the beginning of the first such term to begin after the following July;”.

44 In section 580 of that Act (the index) at the appropriate places insert—  
(in the entry relating to “child”)

“(in Chapter I of Part VI except sections section 411(8)).  
431 to 433)

“school year section 579(1)”.



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“wholly based on selection by reference section 411(9)”  
to ability or aptitude (in Chapter I of  
Part VI)

**Commencement Information**

**I7** Sch. 7 para. 44 wholly in force at 1.9.1997; Sch. 7 para. 44 not in force at Royal Assent see s. 58(3); Sch. 7 para. 44 in force at 14.6.1997 to the extent that it inserts the reference to “school year” into section 580 of the 1996 Act and in force at 1.9.1997 insofar as not already in force by [S.I. 1997/1468, art. 2, Sch.1 Pts. I, II](#)

**F31**45 .....

**Textual Amendments**

**F31** Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, [Sch. 31](#) (with [ss. 138\(9\), 144\(6\)](#)); [S.I. 1999/2323, art. 2\(1\), Sch.1](#)

**F32**46 .....

**Textual Amendments**

**F32** Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, [Sch. 31](#) (with [ss. 138\(9\), 144\(6\)](#)); [S.I. 1999/2323, art. 2\(1\), Sch.1](#)

**F33**47 .....

**Textual Amendments**

**F33** Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, [Sch.31](#) (with [ss. 138\(9\), 144\(6\)](#)); [S.I. 1999/2323, art. 2\(1\), Sch.1](#)

**F34**48 .....

**Textual Amendments**

**F34** Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, [Sch. 31](#) (with [ss. 138\(9\), 144\(6\)](#)); [S.I. 1999/2323, art. 2\(1\), Sch.1](#)

**F35**49 .....

**Textual Amendments**

**F35** Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, [Sch. 31](#) (with [ss. 138\(9\), 144\(6\)](#)); [S.I. 1999/2323, art. 2\(1\), Sch.1](#)

**F36**50 .....

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**Textual Amendments**

**F36** Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, Sch. 31 (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), Sch.1

*School Inspections Act 1996 (c. 57)*

<sup>F37</sup>51 .....

**Textual Amendments**

**F37** Sch. 7 paras. 15-22, 25, 31-35, 40, 45-51 repealed (1.9.1999) by 1998 c. 31, s. 140(1)(3), Sch. 30 para.223, Sch. 31 (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), Sch.1

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**Changes and effects yet to be applied to :**

- Sch. 7 para. 23 omitted by [2018 anaw 2 Sch. 1 para. 6\(a\)](#)
- Sch. 7 para. 24 omitted by [2018 anaw 2 Sch. 1 para. 6\(a\)](#)

**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. 24(2)(ga) inserted by [2008 c. 25 s. 161\(3\)\(b\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 161(3)(4)(11)-(13) repealed (1.4.2010 for E., 1.11.2010 for W.) without ever being in force by 2009 c. 22, Sch. 16 Pt. 4; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2)
- s. 24(2B)-(2D) inserted by [2008 c. 25 s. 9](#) (This amendment not applied to [legislation.gov.uk](#). S. 9 repealed (31.5.2013) without ever being in force by 2009 c. 22 Sch. 16 Pt. 4; S.I. 2013/975, art. 2(c))
- s. 26A(1)(1A) substituted for s. 26A(1) by [2008 c. 25 s. 161\(11\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 161(3)(4)(11)-(13) repealed (1.4.2010 for E., 1.11.2010 for W.) without ever being in force by 2009 c. 22, Sch. 16 Pt. 4; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2)
- s. 26A(4)(5) inserted by [2008 c. 25 s. 161\(13\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 161(3)(4)(11)-(13) repealed (1.4.2010 for E., 1.11.2010 for W.) without ever being in force by 2009 c. 22, Sch. 16 Pt. 4; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2)
- s. 38(2B) inserted by [2022 asc 1 Sch. 4 para. 9\(3\)\(b\)](#)
- s. 39(1)(b)(c) substituted for s. 39(1)(b) by [2022 asc 1 Sch. 4 para. 9\(4\)\(b\)](#)
- s. 43(2ZA)(2ZB) inserted by [2009 c. 22 s. 250\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 250 omitted (1.9.2012) by virtue of 2011 c. 21, s. 29(9)(d); S.I. 2012/1087, art. 3)