



Education and Skills Act 2008

2008 CHAPTER 25

PART 4

REGULATION AND INSPECTION OF INDEPENDENT EDUCATIONAL PROVISION IN ENGLAND

CHAPTER 2

SCHOOLS PROVIDING FOR SPECIAL EDUCATIONAL NEEDS

Independent schools in England

146 Abolition of requirement of approval for independent schools: England

- (1) Section 347 of the Education Act 1996 (c. 56) (approval of independent schools) is amended as follows.
- (2) In subsection (1) —
 - (a) for “The Secretary of State” substitute “ The Welsh Ministers ”;
 - (b) after “independent school” insert “ in Wales ”.
- (3) In subsection (3) for “the Secretary of State sees” substitute “ the Welsh Ministers see ”.
- (4) In subsection (4) for “the Secretary of State may withdraw his” substitute “ the Welsh Ministers may withdraw their ”.
- (5) In subsection (5)—
 - (a) for “a child with special educational needs” substitute “ a relevant child ”;
 - (b) in paragraph (a) for “the Secretary of State” substitute “ the Welsh Ministers ”;
 - (c) in paragraph (b), for “the Secretary of State is” substitute “ the Welsh Ministers are ”, and for “consents” substitute “ consent ”.
- (6) After subsection (5) insert—

Status: Point in time view as at 01/09/2009. This version of this provision has been superseded.

Changes to legislation: Education and Skills Act 2008, Section 146 is up to date with all changes known to be in force on or before 05 June 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)

“(5ZA) In subsection (5) “a relevant child” means a child with special educational needs—

- (a) for whom a local education authority in Wales maintain a statement under section 324, or
- (b) for whom no local education authority maintain such a statement and who is in the area of a local education authority in Wales.”

(7) In subsection (5A)—

- (a) for “But that” substitute “ Subsection (5) ”;
- (b) after “local education authority” insert “ in Wales ”.

Commencement Information

II S. 146 in force at 1.9.2009 by [S.I. 2009/1513](#), [art. 3](#)

Status:

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