



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Status: This is the original version (as it was originally enacted).

“(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)”; and
- (b) after “local education authority” insert “in Wales”.