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**1981 No. 789 (C.18)**

**EDUCATION, ENGLAND AND WALES**

**The Education Act 1980 (Commencement No. 3)  
Order 1981**

*Made - - - - 27th May 1981*

In exercise of the powers conferred on the Secretary of State by section 37 of the Education Act 1980(a), I hereby make the following Order:—

*Citation*

1. This Order may be cited as the Education Act 1980 (Commencement No. 3) Order 1981.

*Interpretation*

2. In this Order “the Act” means the Education Act 1980.

*Coming into force of certain provisions of the Act*

3. The provisions of the Act specified in column 1 of each of the first two Schedules to this Order (which relate to the matters specified in column 2 thereof) shall come into force on the day specified in the heading to that Schedule.

*Transitional provisions*

4. The transitional provisions contained in Schedule 3 to this Order shall have effect in connection with the provisions brought into force by this Order which are referred to in that Schedule.

## SCHEDULE 1

## PROVISIONS COMING INTO FORCE ON 1st JULY 1981

Provisions of the Act	Subject matter of provisions
Section 2.	Requirements as to governing bodies.
Section 3.	Grouping of schools under single governing body.
Section 4(4) and (5).	Governors' proceedings.
Section 5.	Governors as <i>ex officio</i> trustees.

## SCHEDULE 2

## PROVISIONS COMING INTO FORCE ON 1st AUGUST 1981

Provisions of the Act	Subject matter of provisions
Section 4, so far as not already in force, that is to say, subsections (1), (2), (3) and (6).	Governors' proceedings and tenure of office.
Schedule 7, so far as it relates to the repeals set out in the Appendix to this Schedule.	Repeals.

## APPENDIX TO SCHEDULE 2

## REPEALS TAKING EFFECT FROM 1st AUGUST 1981

Chapter	Short title	Extent of repeal
1944 c. 31.	The Education Act 1944.	Section 21(2). Schedule 4.

## SCHEDULE 3

## TRANSITIONAL PROVISIONS

1. This Schedule shall have effect until such time as all arrangements made under section 20 of the Education Act 1944(a) or section 2(4) of the Education (No. 2) Act 1968(b) ("old arrangements") have ceased to have effect in pursuance of section 3(9) of the Act and shall so have effect in connection with section 4(3) of the Act (brought into force on 1st August 1981).

2. In so far as section 4(3) of the Act provides that any provision—

(a) contained in arrangements made under section 3 ("new arrangements"), and

(b) relating to a matter dealt with by regulations under section 4(1) thereof,

shall have effect subject to the regulations, the said section 4(3) shall have effect as if the reference therein to the new arrangements included a reference to the old arrangements and, accordingly, the old arrangements shall have effect subject to the regulations.

27th May 1981.

*Mark Carlisle,*  
One of Her Majesty's Principal  
Secretaries of State.

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(a) 1944 c. 31.

(b) 1968 c. 37.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order brings into force (subject to the transitional provisions in Schedule 3) the provisions of the Education Act 1980 relating to school governing bodies, that is to say, all the provisions thereof not previously brought into force other than sections 27 and 33(3) (school and further education regulations) and related repeals of existing enactments in Schedule 7.

The provisions specified in Schedule 1 to the Order are brought into force on 1st July 1981 and those specified in Schedule 2 on 1st August 1981.

By reason of the transitional provisions in Schedule 3 to the Order, so long as they remain in force, arrangements for the grouping of schools under a single governing body made under section 20 of the Education Act 1944 or section 2(4) of the Education (No. 2) Act 1968 have effect subject to regulations under section 4(1) of the Act of 1980 (brought into force by the present Order).

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This Note is not part of the Order.)*

The provisions of the Education Act 1980 previously brought into force were brought into force by the Education Act 1980 (Commencement) Order 1980 (S.I. 1980/489) and the Education Act 1980 (Commencement No. 2) Order 1980 (S.I. 1980/959) with effect from dates in 1980 specified therein or, in the case of sections 10(1) to (4) and 11 (school attendance orders), with effect from 1st July 1982.

SI 1981/789  
ISBN 0-11-016789-9

