

SCHEDULE 1

Regulation 2

MODIFICATIONS OF ENACTMENTS

PART I

— PRIMARY LEGISLATION

Education (Schools) Act 1992 (c. 38)

1. In paragraph 15(2) of Schedule 2 to the Education (Schools) Act 1992 for the reference to the person who appoints the school's foundation governors there is substituted a reference, in the case of a Church school, to the appropriate diocesan authority; and for the purposes of this paragraph a "Church school" means a Church in Wales school, a Church of England school or a Roman Catholic Church school (as defined in section 305(1) of the Education Act 1993) and "appropriate diocesan authority" shall be construed accordingly.

2. In paragraph 15(5)(b) of that Schedule for the reference to the report referred to in section 58(5)(j) of the 1988 Act there is substituted a reference to the report required by the school's articles of government to be prepared once in every school year.

Education Act 1993 (c. 35)(1)

3. Section 8 of the Education Act 1993 is omitted.

4. In section 12 of the Act, after subsection (5), there is inserted the following subsection—

“(5A) For the purposes of subsection (4) above, section 221(4) of this Act shall not apply.”

5. In section 161(5) of the Act, for the reference to the report prepared under the articles of government for the school in accordance with section 30 of the Education (No. 2) Act 1986(2) or paragraph 8 of Schedule 6 to the Act there is substituted a reference to the report required by the school's articles of government to be prepared once in every school year.

6. In section 187 of the Act, after subsection (3), there is added the following subsection—

“(4) For the purposes of this section, section 221(4) of this Act shall not apply.”

7. In section 268(1)(b) of the Act for the reference to an appeal committee constituted for the purposes of paragraph 5(1) of Schedule 6 to the Act there is substituted a reference to an appeal committee constituted in accordance with the school's articles of government.

8. In section 273(2) of the Act for the reference to proposals for grant-maintained status which have been approved there is substituted a reference to an order under section 220 of the Act which has been made; and for the words "where the procedure for acquisition of grant-maintained status is pending (within the meaning of Chapter III of Part II of the Act)" there are substituted the words "during the period referred to in section 41(1) of this Act"(3).

9. In section 273(6) of the Act for the words "subsection (5) above applies" there are substituted the words "an order under section 220 of this Act is made in respect of a school".

(1) The provisions of the Act referred to in paragraphs 3 to 9 of this Schedule are not in force at the date of these Regulations.

(2) 1986 c. 61.

(3) Section 41(1) of the Act is modified by Schedule 3 to these Regulations.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

PART II

— SUBORDINATE LEGISLATION

The Education (Grant–maintained Schools) (Finance) Regulations 1990(4)

10. In regulation 6 of the Education (Grant–maintained Schools) (Finance) Regulations 1990 for the reference to the governing body or prospective governing body of the school there is substituted a reference to the education association named in the order under section 220 of the Act in relation to the school.

The Education (School Teacher Appraisal) Regulations 1991(5)

11. In regulation 8(5) of the Education (School Teacher Appraisal) Regulations 1991 after “and” there are inserted the words “he or the appraising body”, and after the words “existing appraiser” there are inserted the words “appointed by him, and the appraising body may appoint a new appraiser in place of an existing appraiser appointed by them,”.

12. In regulation 11(2) of those Regulations after the words “or where the appraiser is the head teacher” there are inserted the words “or the appraising body so decide”.

The Education (Grant–maintained Schools) (Finance) Regulations 1993(6)

13. In regulation 12(3) of the Education (Grant–maintained Schools) (Finance) Regulations 1993 for the reference to the governing body or the prospective governing body of the school there is substituted a reference to the education association named in the order under section 220 of the Act in relation to the school.

(4) S.I.1990/549, amended by S.I. 1991/353.

(5) S.I. 1991/1511.

(6) S.I. 1993/568, amended by S.I. 1993/843.