

## SCHEDULE 1

### ENACTMENTS APPLYING WITH MODIFICATIONS IN RELATION TO UNITS

#### PART I

##### —PRIMARY LEGISLATION

#### **Education Act 1944 (c. 31)(1)**

1. Section 59 of the Education Act 1944 applies in relation to a child who is a registered pupil at a unit as it applies in relation to a child who is a registered pupil at a county, voluntary or special school.

#### **Education (No. 2) Act 1986 (c. 61)(2)**

2.—(1) The functions which are required to be conferred or imposed by the provisions specified in the table below in relation to county, controlled and maintained special schools by articles of government have effect in relation to units as if conferred or imposed directly by those provisions, with the modification that references in those provisions to the head teacher in relation to a school are to be construed as references to the teacher in charge in relation to a unit, and with the further modifications specified in the table.

TABLE

Provisions of the Education (No. 2) Act 1986	Modifications
Section 18(1)	The substitution for the reference to the governing body of a reference to the teacher in charge of a unit.
Section 18(2)(3)	The application of this subsection only in relation to the curriculum for pupils other than those who are provided with secondary education at a unit, and the substitution for the reference to the governing body of a reference to the teacher in charge of a unit.
Section 18(3)(4)	The substitution for the reference to the governing body of a references to the teacher in charge of a unit, and the omission of the words “to do so in consultation with the head teacher and” in subsection (3)(a).
Section 18(5)	
Section 18(6)(b) and (c)(iii)	
Section 18(7)	The substitution for the reference to the governing body of a reference to the teacher in charge of a unit, and the omission of the words from “and for it to be their duty” to the end of the subsection.

(1) **1944 c. 31; section 59 was amended by sections 38(4) and 46 of the Criminal Justice Act 1982 (c. 48) and is prospectively repealed by Schedule 2 to the Employment of Children Act 1973 (c. 24).**

(2) **1986 c. 61.**

(3) Section 241(6) of the Education Act 1993 provides that section 18(2) does not have effect in relation to county or controlled schools or in relation to pupils who are provided with secondary education in maintained special schools.

(4) Section 18(3) and (6) was amended by Part II of Schedule 13 to the Education Reform Act 1988 (c. 40).

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

Provisions of the Education (No. 2) Act 1986	Modifications
Section 21(1)(5)	
Section 21(2)	The substitution for the reference to the governing body of a reference to the local education authority, and the omission of the words from “and, where the governing body” to the end of the subsection.
Section 21(5)	The substitution for the reference to the governing body of a reference to the local education authority.
Section 22(a) to (e)(6)	The substitution for the references to the governing body of references to the local education authority.
Section 23	The omission of the words “the governing body and” in paragraph (a)(iii) and the omission of the words “and the governing body” after paragraph (b)(ii).
Section 24(a)(7)	The substitution for the references to the governing body of references to the teacher in charge of a unit.
Section 24(b)	The omission of the words “the governing body or”, and the omission of the words from “in the case of an exclusion for a fixed period” to the end of the paragraph.
Section 24(h)	The omission of the words “the governing body and” and “each other and”.
Section 32(1)(b)	The omission of references to the governing body.

(2) Section 28(1), (3) and (4) of the Education (No. 2) Act 1986 apply in relation to a unit with the modifications that the reference to the governing body in subsection (3)(b) shall be construed as a reference to the teacher in charge of a unit, and the substitution in subsection (4) of “teacher in charge of a unit” for “governing body or head teacher”.

#### **Education Reform Act 1988 (c. 40)**

**3.—(1)** Section 2(1)(ab) of the Education Reform Act 1988(8) applies in relation to a unit as it applies in relation to a special school.

(2) Section 17A of the Act(9) applies in relation to a unit with the modification that the words “, except so far as such education is comprised in the National Curriculum,” are omitted.

#### **Education Act 1993 (c. 35)**

**4.** The duty under section 241(5) of the Education Act 1993 applies in relation to a unit to the teacher in charge as it applies in relation to a maintained special school to the governing body, that is to say, only in relation to pupils who are provided with secondary education at the unit.

(5) Section 21 was substituted by section 115 of the Education Reform Act 1988.

(6) Section 22 was amended by paragraphs 88 and 95 of Schedule 19 the Education Act 1993.

(7) Section 24(a)(i) and (b) was amended by paragraphs 88 and 97 of Schedule 19 the Education Act 1993.

(8) Section 2(1)(ab) was inserted by section 241(1) of the Education Act 1993.

(9) Section 17A was inserted by section 241(3) of the Education Act 1993.