
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make transitional provisions in connection with the imposition of a limit on the size on infant classes at maintained schools in England and Wales under section 1 of the School Standards and Framework Act 1998. They apply in relation to the admission of children to such schools for education in infant classes in the 1999—2000 school year.

The Regulations disapply certain provisions of the Education Act 1996 concerning the fixing of the number of children to be so admitted. Those provisions will still apply to the admission of children in the 1999—2000 school year since the relevant provisions of the 1998 Act will not come into force until 1st September 1999.

The disapplication of those provisions is for the purpose of enabling a school's admission authority to review and, if necessary, adjust the relevant standard number (or approved admission number) so that it is compatible with the duty to comply with the limit on infant class sizes (which will apply with effect from the 1999—2000 school year in relation to schools in Wales, or from the 2001—2002 school year in relation to schools in England). The disapplication in the case of any particular school is dependent on the consent of the Secretary of State (*regulation 3*). During the period of the disapplication, alternative provisions apply as regards the fixing of admission numbers (*regulation 4*).

In addition, the admission authority for an existing maintained school are required to determine and publish fresh admission arrangements for the school where, before 1st September 1998, they have already published the school's admission arrangements for the 1999—2000 school year and

- (a) either those arrangements are incompatible with the 1996 Act (as modified by the Education Act 1996 (Infant Class Sizes) (Modification) Regulations 1998), or
- (b) the admission to the school of a number of children equal to the admission number specified in those arrangements would mean that the class size limit could not be met without prejudice to efficient education or the efficient use of resources (*regulation 5*).