
EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 89 of the School Standards and Framework Act 1998 requires the admission authority for every maintained school to determine the school's admission arrangements for each school year in accordance with the requirements of that section. These Regulations make provision for a number of purposes relating to section 89, so far as it will apply to the determination of the admission arrangements for schools for the 2000/2001 school year (called in the Regulations "the initial year"). Under regulation 2, admission arrangements are "for the initial year" if 2000/2001 is the school year in which pupils will be admitted to the school as a result of the arrangements. The Regulations come into force on 6th January 1999.

Regulation 3 prevents the premature determination of admission arrangements. Admission authorities may not determine admission arrangements for the initial year, or a later year, earlier than 1st April 1999. Regulation 4 requires admission authorities to take steps to complete the consultation required by section 89 on their proposed admission arrangements for the initial year before 1st April 1999, and to determine the admission arrangements before 1st May 1999.

Regulation 5 specifies the "relevant area" under section 89(2)(b), which requires the authority for a school to consult the authorities for other schools situated in this area. This is to be the area lying within a radius of 4.83 kilometres (almost exactly 3 miles) from the main entrance of the school. Regulation 6 provides that, where the admission arrangements are for a primary school, the duty under section 89(2)(b) only requires consultation of the authorities for other primary schools. Regulation 7 specifies the additional consultation required by virtue of section 89(2)(c). An admission authority which is a local education authority must consult every neighbouring local education authority. An admission authority which is the governing body for a school must consult a local education authority if part of its administrative area lies within, or adjoins, the "relevant area".

Regulation 8 provides that the consultation is to relate to all provisions in the admission arrangements, except a provision to which section 89 does not apply. Such a provision must, nevertheless, be included for information purposes in the written document which regulation 9 requires to be sent to the authorities being consulted.