

SCHEDULE 4

TRANSITIONAL AND SAVING PROVISIONS RELATING TO THE ADMISSION OF CHILDREN TO MAINTAINED SCHOOLS

Approved admission numbers for grant-maintained schools

7.—(1) Section 426(1) shall continue to have effect in relation to the fixing of an admission number for a grant-maintained school for the 1999/2000 and earlier school years.

(2) This sub-paragraph applies where before 1st September 1999—

- (a) the governing body of a grant-maintained school have made an application for the approval under section 426(4) of the 1996 Act of a proposed variation of any approved admission number applying to that school; but
- (b) no decision has been made approving or refusing to approve that application.

(3) Where sub-paragraph (2) applies, the provisions of—

- (a) section 426(4) and (5) of the 1996 Act (as amended by the modification regulations), and
- (b) the school's articles of government concerning the variation of approved admission numbers,

shall continue to apply in relation to an application mentioned in that sub-paragraph.

(4) Where, upon such an application, the Secretary of State decides to approve a variation of the approved admission number under section 426(4) of the 1996 Act, the relevant standard number which applies to the school in the school year beginning on or after 1st September 1999 by virtue of paragraph 1 of Schedule 23 to the 1998 Act shall have effect from the date specified in the Secretary of State's decision as if varied to the lower or higher number so specified in accordance with paragraph 6 or (as the case may be) 10 of that Schedule.

(5) This sub-paragraph applies where before 1st April 1999—

- (a) the governing body of a grant-maintained school have made an application as mentioned in sub-paragraph (2)(a);
- (b) no decision has been made approving or refusing to approve that application; and
- (c) the school is in the area of a local education authority in relation to which an order under section 27(1)(a) or (b) of the 1996 Act applies.

(6) Where sub-paragraph (5) applies, sub-paragraph (4) shall have effect in relation to any period on or after 1st April 1999 but before 1st August 1999 as if each reference to the Secretary of State were to the Funding Agency for Schools.

(7) In the case of a grant-maintained school whose articles of government require the governing body to publish proposals before making an application under section 426(4) of the 1996 Act for the reduction of an approved admission number, sub-paragraph (2)(a) shall have effect as if for "made an application" there were substituted "published proposals in relation to a proposed application".

(8) This paragraph shall have effect notwithstanding the repeal of sections 27, 218 to 221 and 426 and 426A of, and Schedules 4 and 23 to, the 1996 Act, and the coming into force of section 93 of, and Schedule 23 to, the 1998 Act.