
STATUTORY INSTRUMENTS

1999 No. 125

The Education (Objections to Admission Arrangements) Regulations 1999

PART I

REFERENCE OF OBJECTIONS TO ADJUDICATOR OR SECRETARY OF STATE

Cases where an objection may not be referred

2.—(1) This regulation prescribes the description of objections that, by virtue of section 90(1)(c), may not be referred under section 90(1).

(2) An objection may not be referred under that subsection if the substance of the objection is to seek an alteration to the admission arrangements in question—

- (a) (in the case of a grammar school) which by virtue of section 104(4) may only be made in accordance with sections 105 to 109;
- (b) in respect of which section 90 is excluded from applying by virtue of section 103(1) and (2) (an introduction, variation or abandonment of provision for selection which would constitute a prescribed alteration for the purposes of section 28); or
- (c) (except where subparagraph (b) applies) which would constitute a prescribed alteration for the purposes of section 28.

(3) In relation to any time before the coming into force of section 28, the following subparagraph shall have effect in place of paragraph (2)(b) and (c):

- “(b) which would constitute a significant change in the character of the school for the purposes of sections 35(1), 41(2), 259(1) and 260(2) of the Education Act 1996(1)

Time within which objection must be referred

3.—(1) Subject to paragraph (3), an objection may not be referred under section 90(1) unless it is received by the appropriate person within 6 weeks after the receipt by the objecting admission authority of the notification required by virtue of section 89(4)(b)(2).

(2) Subject to paragraph (3), an objection may not be referred under section 90(2) unless it is received by the appropriate person within 6 weeks after the date on which notice of the determination of the relevant admission arrangements was first published in a newspaper in the manner required by regulations under the Act(3).

(3) An objection which is received after the end of the period specified in paragraph (1) or (2) shall be regarded as properly referred if the appropriate person is satisfied that it was not reasonably practicable for the objection to have been received earlier than the time it was received.

(1) 1996 c. 57; see also S.I.1998/2230 which modifies section 101(3) and (4) of the School Standards and Framework Act 1998 in relation to any time before section 28 of that Act comes into force.

(2) See S.I. 1999/126, regulation 8.

(3) See S.I. 1999/126, regulation 9.

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

(4) In this regulation “the appropriate person” means (in England) the adjudicator or (in Wales) the Secretary of State.