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STATUTORY INSTRUMENTS

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**1999 No. 2262**

**The Education (New Schools) (England) Regulations 1999**

**PART V**

**TRANSITION FROM A TEMPORARY GOVERNING  
BODY TO A PERMANENT GOVERNING BODY**

**Constitution of the governing body under the instrument of government**

**36.**—(1) For the purposes of this Part, in relation to any new school, the incorporation date means such date (as soon as reasonably practicable after the school opening date and in any event no later than the last day of the term in which the school first admits pupils) as the local education authority shall notify in writing to the temporary governing body.

(2) The local education authority shall secure that appointments or elections of governors required by the instrument of government for a new school take place in accordance with that instrument before the incorporation date with effect from that date.**(1)**

(3) On the incorporation date the governing body of a new school shall be constituted under the instrument of government, and incorporated under section 36(1) of the 1998 Act.

(4) The temporary governing body shall exercise their functions under the 1998 Act and under these Regulations in a manner calculated to enable the local education authority to fulfil their duties under these Regulations and under section 44(3) of the 1998 Act.

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(1) The Main School Government Regulations provide for qualifications and disqualifications for office, and terms of office, of such governors.