
STATUTORY INSTRUMENTS

1999 No. 2323

**The School Standards and Framework Act
1998 (Commencement No. 7 and Saving
and Transitional Provisions) Order 1999**

Transitional provisions relating to section 138 of the 1996 Act

6.—(1) An agreement or determination in force under section 138 of the 1996 Act (advisory rights of chief education officer: aided schools) immediately before 1st September 1999 shall on and after that date have effect as if made under paragraph 2 of Schedule 17 to the 1998 Act notwithstanding that it was not framed by reference to the rights conferred on the chief education officer by that Schedule.

(2) Any disagreement between a governing body and a local education authority as to which rights are conferred on the chief education officer by virtue of paragraph (1) above shall be determined by the Secretary of State.

(3) An agreement or determination to which paragraph (1) refers may be withdrawn—

- (a) in the case of an agreement, in accordance with paragraph 2(5) of Schedule 17; and
- (b) in the case of a determination of the Secretary of State, in accordance with paragraph 2(6) of that Schedule.