
STATUTORY INSTRUMENTS

1999 No. 2484

The School Standards and Framework Act 1998 (Amendment of Commencement Orders) (England) Order 1999

Amendment

2.—(1) Schedule 4 to the School Standards and Framework Act 1998 (Commencement No. 6 and Saving and Transitional Provisions) Order 1999⁽¹⁾ shall be amended as follows.

(2) In paragraph 2(3), for “an application” (at the second place where it appears) substitute “that application”.

(3) In paragraph 11, omit “422,”.

(4) After paragraph 11, add the following new paragraph—

“Admissions to new schools

12.—(1) This paragraph applies to a school—

- (a) where the proposals for its establishment were published under the provisions of Part II of the 1996 Act (schools maintained by local education authorities);
- (b) which is treated (or will be treated) as established under section 28 of the 1998 Act by virtue of—
 - (i) regulation 6 of the Education (Transition to New Framework) (New Schools, Groups and Miscellaneous) Regulations 1999⁽²⁾, or
 - (ii) regulation 12 of the Education (Transition to New Framework) (School Organisation Proposals) Regulations 1999⁽³⁾; and
- (c) which first admits pupils in the 1999–2000 school year.

(2) Where, before 1st September 1999, initial admission arrangements for a school to which this paragraph applies have been made pursuant to section 422 of the 1996 Act in relation to the 1999–2000 school year, those arrangements shall continue to have effect on and after that date for the purposes of the admission of pupils to the school in the course of that year.

(3) Section 422(6) of the 1996 Act⁽⁴⁾, and the other provisions of the 1996 Act referred to in that subsection, shall continue to have effect in relation to a school to which this paragraph applies for the purposes of—

- (a) the determination of an application for the admission of a child to the school in the 1999–2000 school year which is made before 1st September 1999; and
- (b) an appeal against a decision as mentioned in section 423(1) or (2) or 423A(2) of the 1996 Act concerning the admission of a child to the school in the 1999–2000 school year where before that date—
 - (i) notice of appeal has been given, but

(1) S.I.1999/1016 (c. 29).

(2) S.I. 1999/362.

(3) S.I. 1999/704.

(4) Section 422(6) of the 1996 Act was amended by paragraph 32 of Schedule 7 of the Education Act 1997 (c. 44).

Status: This is the original version (as it was originally made).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

- (ii) the appeal has not been determined by an appeal committee constituted in accordance with paragraph 1 or 2 of Schedule 33 to the 1996 Act.
- (4) The reference in sub-paragraph (3)(a) to an application for the admission of a child to a school includes a reference to—
 - (a) a preference expressed by a parent in accordance with arrangements made by a local education authority under section 411(1) of the 1996 Act; and
 - (b) an application as mentioned in section 438(4) or 440(2) of that Act.
- (5) Sub-paragraphs (2) and (3) apply notwithstanding the repeal of section 422 of the 1996 Act.”.