
STATUTORY INSTRUMENTS

1999 No. 362

The Education (Transition to New Framework) (New Schools, Groups and Miscellaneous) Regulations 1999

PART I

INTRODUCTION

Interpretation

- 2.—(1) In these Regulations, unless the context otherwise requires—
- “the 1998 Act” means the School Standards and Framework Act 1998;
 - “the 1996 Act” means the Education Act 1996;
 - “additional co-opted governor” means a co-opted governor required by virtue of paragraph 15 of Schedule 9 to the 1998 Act;
 - “county school”, “voluntary school”, “maintained special school”, “grant-maintained school” and “grant-maintained special school” have the same meanings as in the 1996 Act;
 - “employee of the local education authority” means a person employed by the local education authority in connection with their functions as a local education authority;
 - “the First Transitional Regulations” means the Education (School Government) (Transition to New Framework) Regulations 1998(1);
 - “GM governing body” means the governing body of a new GM school constituted under the 1996 Act before the appointed day;
 - “grouped governing body” means the governing body of a grouped school constituted under the 1996 Act before the appointed day;
 - “group” means two or more schools conducted by a grouped governing body or a grouped transitional governing body, as the case may be;
 - “grouped school” means a school referred to in regulation 1(4);
 - “instrument of government” means the first instrument of government for a maintained school within the meaning in section 37(1) of the 1998 Act;
 - “new GM school” means a school referred to in regulation 1(3);
 - “new LEA maintained school” means a school or proposed school referred to in regulation 1(2);
 - “representative governor” means a representative governor required by virtue of paragraph 10 of Schedule 9 to the 1998 Act;
 - “teacher” means a teacher employed under a contract of employment or a contract for services or otherwise engaged to provide his services as a teacher;

“temporary governing body” means the temporary governing body of a new LEA maintained school constituted under the 1996 Act before the appointed day;

“local education authority” in relation to any proposed school or school which will become or is a maintained school means the local education authority which will maintain or maintains the proposed school or school on or after the appointed day.

(2) A reference in these Regulations (however expressed) to a proposed school or school which is to be or is maintained by a local education authority is a reference to a proposed school or school which is to be or is—

- (a) so maintained in accordance with section 20(4) or (5) of the 1998 Act; or
- (b) treated by regulation 6 as established as a maintained school.

(3) A reference in these Regulations to written notice to the clerk to the governing body of the school includes written notice to the clerk to the temporary governing body, the transitional governing body, the GM governing body, the GM transitional governing body, the grouped governing body or the grouped transitional governing body, as the case may be.

(4) Except where the context otherwise requires, the words or expression used in these Regulations set out in the first column of the table below have the meaning given by, (or as the case may be) are to be interpreted in accordance with, the provision referred to in the second column of that table:

“actual incorporation date” (for the purposes of Part II)	regulation 14;
“actual incorporation date” (for the purposes of Part IV)	regulation 47;
“appointed day”	section 20(7) of the 1998 Act(2);
“education action zone”	section 10(1) of the 1998 Act;
“Education Action Forum”	section 11(2) of the 1998 Act;
“GM transitional governing body”	regulation 30;
“grouped transitional governing body”	regulation 49;
“maintained school”	section 20(7) of the 1998 Act;
“minor authority” and “area for which there are one or more minor authorities”	section 141 of the 1998 Act;
“reconstitution date”	regulation 31;
“school’s opening date”	regulation 1(3)(a);
“transitional governing body”	regulation 13.

(5) Unless the context otherwise requires, any reference in these Regulations to—

- (a) a numbered Part, regulation or Schedule is a reference to the Part, regulation or Schedule in these Regulations so numbered;
- (b) a numbered paragraph is a reference to the paragraph so numbered in the regulation or Schedule in which the reference appears; and
- (c) a numbered sub-paragraph is a reference to the sub-paragraph so numbered in the paragraph in which the reference appears.

(2) The day appointed by S.I. 1998/2083 is 1st September 1999.

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