
STATUTORY INSTRUMENTS

1999 No. 704

**The Education (Transition to New Framework)
(School Organisation Proposals) Regulations 1999**

PART III

**TRANSITIONAL PROVISIONS CONSEQUENT ON THE COMING
INTO FORCE OF CHAPTER II OF PART II OF THE 1998 ACT
(ESTABLISHMENT, ALTERATION OR DISCONTINUANCE OF SCHOOLS)**

Implementation of proposals to make alterations to, or discontinue, a school

16.—(1) This regulation applies where

- (a) proposals published under section 35(1)(c) or (d), 41(2), 167(1), 259(1), 260(2), 267(1) or 268(2) of the 1996 Act have been approved under sections 37, 43, 169, 261 or 269 of the 1996 Act (either before 1st September 1999 or on or after that date under those provisions as they have effect by virtue of regulation 14(2));
- (b) proposals such as are mentioned in section 339(1)(b) or (c) or (3) of the 1996 Act have been approved under section 340(4) of the 1996 Act (either before 1st September 1999 or on or after that date under those provisions as they have effect by virtue of regulation 14(2)); or
- (c) a local education authority have determined under section 38 or 170 of the 1996 Act to implement proposals published under section 35(1)(c) or (d) or, as the case may be, section 167(1) of the 1996 Act (either before 1st September 1999 or on or after that date under those provisions as they have effect by virtue of regulation 14(2)),

but the proposals have not been implemented before 1st September 1999.

(2) Where this regulation applies—

- (a) proposals which were approved under any of the provisions referred to in paragraph (1)(a) or (b) shall be treated as if they were required to be, and were, approved under paragraph 3 or 8 of Schedule 6 to the 1998 Act; and
- (b) where a local education authority have determined under section 38 or 170 of the 1996 Act to implement proposals they shall be treated as having determined under paragraph 4 or 9 of Schedule 6 to the 1998 Act to implement the proposals,

and accordingly the proposals fall to be implemented under paragraph 5 or 10 of Schedule 6 to the 1998 Act (in accordance with regulation 17 and but subject to regulation 19).