

SCHEDULE 4

PART VI

**PROVISIONS OF SCHEDULE 12 TO THE ACT HAVING  
EFFECT IN RELATION TO INSTRUMENTS OF GOVERNMENT  
AS ARE MENTIONED IN REGULATIONS 11 AND 12**

1. The paragraphs in Schedule 12 to the Act specified in the left hand column of the table mentioned below shall have effect in relation to instruments of government such as are mentioned in regulations 11 and 12 and, where modifications are specified in the right hand column of the table shall have effect with those modifications.

**TABLE**

Provision	Modification
Paragraph 1(2)	That paragraph shall have effect as if the words “in accordance with sub-paragraph (1)(d)” were deleted and the word “belongs” were substituted by “will belong”.
Paragraph 1(3)	
Paragraph 1(4)	
Paragraph 2	That paragraph shall have effect as if— (a) in sub-paragraph 2(1) the words “for a maintained school subject to any relevant modifications” were omitted and were substituted by “for a school changing its category in accordance with Schedule 8”, and (b) sub-paragraph (2) were omitted.
Sub-paragraphs 3(1), and (2)	Those sub-paragraphs shall have effect as if sub-paragraph (2) were omitted and the following substituted— “(2) Where the school has foundation governors or it is proposed will have foundation governors, the governing body shall not submit the draft to the local education authority unless the following persons have agreed to the contents of the draft, namely— (a) the existing foundation governors; or (b) if there are no existing foundation governors, the persons whom it is proposed will be entitled to appoint foundation governors; (c) any trustees under a trust deed relating to the school; and (d) in the case of a Church of England School or Roman Catholic Church

**Status:** This is the original version (as it was originally made).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

Provision	Modification
	School, the appropriate diocesan authority.”
Paragraph 3(3)	That paragraph shall have effect as if the words “or it is proposed that the school will have foundation governors” were inserted after “foundation governors”.
Paragraph 3(4)	That paragraph shall have effect as if <ul style="list-style-type: none"> <li>(a) the words “or it is proposed should have foundation governors” were inserted after “foundation governors”, and</li> <li>(b) the words “to the category of school to which the school belongs” were omitted and the following were substituted “to the category of school to which it is proposed the school should belong”.</li> </ul>
Paragraph 3(5)	That paragraph shall have effect as if <ul style="list-style-type: none"> <li>(a) the words “or it is not proposed should have foundation governors” were inserted after “a school which does not have foundation governors”, and</li> <li>(b) the words “to the category of school to which the school belongs” were omitted and the following were substituted “to the category of school to which it is proposed the school should belong”.</li> </ul>
Paragraph 3(6)	That paragraph shall have effect as if the words “or it is proposed should have foundation governors” were inserted after “(if the school has foundation governors)”.
Paragraph 3(7)	
Paragraph 4	
Paragraph 5	