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STATUTORY INSTRUMENTS

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**2002 No. 2316**

**The Education Act 2002 (Modification of Provisions) (England) Regulations 2002**

**Temporary modification of Part 6 of the 2002 Act**

**4.** Prior to the definition of “maintained school” in section 39(1) of the 2002 Act coming into force in relation to England, Part 6 of the 2002 Act shall have effect as if—

- (a) in section 79(3), for the words “or maintained nursery school” there were substituted the words “and the head teacher of every maintained nursery school”;
- (b) in section 89(1)(a) the words “and the governing body” were omitted;
- (c) in section 90(1) the words “or maintained nursery school” were omitted;
- (d) in section 90(3) the words “or a maintained nursery school” were omitted;
- (e) in section 94(1), for paragraphs (a) and (b) there were substituted—
  - “(a) in the case of a maintained school, to the governing body, and
  - (b) in all cases, to the local education authority by whom the school is maintained.”;
- (f) in section 95, for the words “governing body”, in each place where they occur, there were substituted the words “relevant body”, and
- (g) after subsection (4) of section 95 there were substituted the following subsection—
  - “(5) In this section “the relevant body” means in the case of a maintained school its governing body, and in the case of a maintained nursery school the local education authority by whom the school is maintained.”