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STATUTORY INSTRUMENTS

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**2003 No. 1963**

**School Staffing (England) Regulations 2003**

**PART 5**

**Staffing of new schools**

**Interpretation of provisions applied by Part 5**

**33.** Any provision of these Regulations or Schedule 2 to the 2002 Act which applies in relation to a proposed school as a result of this Part has effect for that purpose as if—

- (a) any reference to a “governing body” were a reference to a temporary governing body, and
- (b) any reference to a “governor” were a reference to a temporary governor.

**Staffing of proposed community, voluntary controlled, community special and maintained nursery schools having delegated budgets**

**34.** Where a proposed school which will be a community, voluntary controlled, community special or maintained nursery school has a delegated budget<sup>(1)</sup>, regulations 4 to 7, 9 and 11 to 18 apply.

**Staffing of proposed foundation, voluntary aided and foundation special schools having delegated budgets**

**35.** Where a proposed school which will be a foundation, voluntary aided or foundation special school has a delegated budget, regulations 4 to 7, 9 and 20 to 27 apply.

**Staffing of proposed community, voluntary controlled, community special and maintained nursery schools without delegated budgets**

**36.** Where a proposed school which will be a community, voluntary controlled, community special or maintained nursery school does not have a delegated budget, Part 1 of Schedule 2 to the 2002 Act applies.

**Staffing of proposed foundation, voluntary aided or foundation special schools without delegated budgets**

**37.** Where a proposed school which will be a foundation, voluntary aided or foundation special school does not have a delegated budget, Part 2 of Schedule 2 to the 2002 Act applies.

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(1) See section 49(2) and (3) of the 1998 Act as to whether a school has a delegated budget. A school having a delegated budget is defined by section 39(2) of the 2002 Act.