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STATUTORY INSTRUMENTS

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**2004 No. 2042**

The School Governance (Federations)  
(England) Regulations 2004

PART 7

FEDERATED SCHOOLS LEAVING FEDERATIONS

**Transfer of property**

**40.**—(1) On the de-federation date—

- (a) all land or property, which, immediately before the de-federation date, was held by the governing body of the federation for the purposes of the de-federated school shall be transferred to, and by virtue of these Regulations vest in, the governing body incorporated under regulation 39; and
- (b) all rights and liabilities subsisting immediately before the de-federation date which were acquired or incurred by the governing body of the federation for the purposes of the de-federated school shall be transferred to the governing body incorporated under regulation 39.

(2) Section 198 of and Schedule 10 to the Education Reform Act 1988<sup>(1)</sup> (which make provision in relation to transfers of property, rights and liabilities) shall apply in relation to transfers effected by this regulation as they apply in relation to transfers to which that section and Schedule apply.

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<sup>(1)</sup> 1988 c. 40.