

SCHEDULE 6

Regulation 26

PROVISIONS OF SCHEDULE 2 TO THE ACT APPLYING TO PROPOSALS  
PUBLISHED UNDER PARAGRAPH 21 (4) OF SCHEDULE 2 TO THE ACT

The provisions of Schedule 2 to the Act specified in the left hand column of the table have effect in relation to proposals published under paragraph 21 (4) of Schedule 2 and, where modifications are specified in the right hand column of the table, with those modifications.

<i>Provision</i>	<i>Modification</i>
Paragraph 1	That paragraph has effect as if in subparagraph (1) for the words “published under section 7,10,11 or 15” there were substituted the words “published under paragraph 21(4) of this Schedule”
Paragraph 2	That paragraph has effect as if after paragraph 2 (b) the following were inserted— “(c) in the case of proposals published under paragraph 21 (4)— (i) in the case of original proposals under section 7, the local education authority who published the notice under that section, and (ii) in the case of original proposals under section 10, 11 or 15, the local education authority who maintain the school (or in the case of a new school) who it is proposed should maintain the school.”
Paragraph 5	That paragraph has effect as if the words “Any person may object to or comment on proposals published under paragraph 21 (4), and such objections and comments must be sent to the relevant authority within 6 weeks of the date of publication of such proposals.” were substituted.
Paragraph 13	That paragraph has effect as if the following were substituted— “(1) Where the relevant authority determine proposals published under paragraph 21 (4), any determination must be made within 2 months of the end of the period for making objections and comments as prescribed in paragraph 5. (2) If the authority does not make a determination within the time specified in subparagraph (1), they must refer the proposals to the adjudicator within 1 week from the end of that period.”

**Status:** This is the original version (as it was originally made).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

<i>Provision</i>	<i>Modification</i>
Paragraph 14	<p>That paragraph has effect as if the following were substituted—</p> <p>“(1) The relevant authority must if so requested within 4 weeks of the date of notification of the determination pursuant to regulations made under paragraph 20, by any relevant person refer to the adjudicator within 1 week of the date on which they received notice of a request for a referral, any proposals under paragraph 21(4) which the relevant authority have determined under paragraph 21(3), together with any reasons given by the authority for their determination.</p> <p>(2) The following are relevant persons for the purposes of sub-paragraph (1)—</p> <ul style="list-style-type: none"> <li>(a) the Diocesan Board of Education for any diocese of the Church of England any part of which is comprised in the area of the relevant authority;</li> <li>(b) the bishop of any diocese of the Roman Catholic Church any part of which is comprised in the area of the relevant authority;</li> <li>(c) in the case of original proposals made under section 10 or 11 by a person other than the relevant authority and rejected by the authority under paragraph 8(4)(a), the proposers;</li> <li>(d) in the case of original proposals published under section 15, the governing body or trustees of any foundation, voluntary or foundation special school which is the subject of the proposals;</li> <li>(e) where the proposals relate to a school or proposed school providing education for persons aged 14 years or over, the Learning and Skills Council for England.”</li> </ul>