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STATUTORY INSTRUMENTS

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**2007 No. 1801**

**The Education and Inspections Act 2006 (Commencement  
No. 5 and Saving Provisions) Order 2007**

**Citation and interpretation**

1.—(1) This Order may be cited as the Education and Inspections Act 2006 (Commencement No. 5 and Saving Provisions) Order 2007.

(2) In this Order—

“the Act” means the Education and Inspections Act 2006, and

“EA 1996” means the Education Act 1996<sup>(1)</sup>.

**Provisions coming into force on 25th June 2007**

2. Section 55(8) and (9) of the Act comes into force in relation to England only on 25th June 2007.

**Provisions coming into force on 1st September 2007**

3. The following provisions of the Act come into force in relation to England only on 1st September 2007—

- (a) section 38 to the extent it is not already in force,
- (b) section 55 to the extent it is not already in force,
- (c) sections 97 to 99,
- (d) section 102,
- (e) section 108,
- (f) section 167,
- (g) section 184 to the extent that it relates to the provisions set out in paragraph (h),
- (h) in Schedule 18 (Part 6), the repeal of—
  - (i) in section 176(3) of the Education Act 2002, the definition of “pupil”,
  - (ii) section 21(4) of the Anti-social Behaviour Act 2003, and
  - (iii) paragraph 42 of Schedule 2 to the Childcare Act 2006.

4. The following provisions of the Act come into force on 1st September 2007—

- (a) section 5 in relation to—
  - (i) primary schools<sup>(2)</sup> which are not special schools, only in relation to the local education authorities listed in Part 1 of the Schedule, and
  - (ii) special schools<sup>(3)</sup>, only in relation to the local education authorities listed in Part 2 of the Schedule,

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(1) 1996 c.56.

(2) within the meaning of section 5(1) of EA 1996

(3) within the meaning of section 6(2) of EA 1996

- (b) section 77 (1) to the extent it is not already in force,
- (c) section 77(2) to the extent that it relates to the provisions set out in paragraph (k),
- (d) section 82,
- (e) section 84 to the extent it is not already in force, except in relation to travel functions under section 508F,
- (f) section 85 to the extent that it relates to the provisions set out in paragraph (l),
- (g) sections 100 and 101,
- (h) sections 103 to 107,
- (i) sections 109(8) and 110,
- (j) section 184 to the extent that it relates to the provisions set out in paragraph (m),
- (k) Schedule 8 to the extent it inserts paragraph 1 (but only in relation to paragraphs 2 to 7 or 9 and 10), paragraphs 2 to 10, 14 and 15 of Schedule 35B,
- (l) Schedule 10, to the extent that it is not already in force, except for the words—
  - (i) “section 508F(1)” in paragraphs 1(a) and 2(3), and
  - (ii) “section 508F(3)” in paragraph 3.
- (m) in Part 6 of Schedule 18, the repeal, in section 509(1B) of EA 1996, of the words “the Learning and Skills Council for England or”, and in paragraphs (b) the words “13 or”.

### **Saving provisions**

5.—(1) Despite the commencement of paragraph 4 of Schedule 10 and the repeal of the words mentioned in article 4(m), section 509 of EA 1996 continues to apply in respect of persons in England who are neither children nor persons of sixth form age.

(2) Despite the commencement of the repeal of section 21(4) of the Anti-social Behaviour Act 2003 in section 99(2)(c) of and Part 6 of Schedule 18 to the Act, section 21(4) continues to apply in relation to parenting orders made, or applied for, before 1st September 2007.

21st June 2007

*Jim Knight*  
Minister of State  
Department for Education and Skills