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STATUTORY INSTRUMENTS

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**2016 No. 204**

**The School Governance (Constitution and Federations)  
(England) (Amendment) Regulations 2016**

**Amendment of the School Governance (Constitution) (England) Regulations 2012**

**2.**—(1) The School Governance (Constitution) (England) Regulations 2012<sup>(1)</sup> are amended as follows.

(2) In regulation 5(1) (interpretation), in the appropriate place, insert—

““enhanced criminal record certificate” means an enhanced criminal record certificate issued under section 113B of the Police Act 1997, which includes, in such cases as are from time to time prescribed under section 113BA(1) of that Act, suitability information relating to children, and any relevant up-date information (as defined in section 116A(8) of the Act) where such a certificate is subject to up-date arrangements;”.

(3) After regulation 16 (notification of appointments), insert—

**“Criminal record certificates**

**16A.**—(1) Where a governor has been elected or appointed before 1st April 2016 and does not hold an enhanced criminal record certificate, the governing body must apply for such a certificate in respect of that governor by 1st September 2016.

(2) Where a governor is elected or appointed on or after 1st April 2016 and does not hold an enhanced criminal record certificate, the governing body must apply for such a certificate in respect of that governor within 21 days after his or her appointment or election.”.

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<sup>(1)</sup> [S.I. 2012/1034](#), to which there are amendments not relevant to these Regulations.