

## SCHEDULE 4

Article 6

### TRANSITIONAL AND SAVING PROVISIONS

1. Paragraphs 2 to 5 of this Schedule apply despite the bringing into force by article 3 of this Order of section 60 (Repeal of the 1996 Act).

2. Where the latest report of an inspection of a school was under the 1996 Act and identified that special measures were required to be taken in relation to the school, that report is to be treated as the report of an inspection which identified that special measures were required to be taken under Part 1 of the 2005 Act for the purposes of—

- (a) sections 34(7)(b) and 35(2)(b) and (5)(b); and
- (b) sections 14 to 19 of the 1998 Act (intervention in schools causing concern).

3. Where the latest report of an inspection of a school was under that Act and identified that the school had serious weaknesses, that report is to be treated as the report of an inspection which identified that the school required significant improvement under Part 1 of the 2005 Act for the purposes of—

- (a) sections 34(8)(b) and 35(3)(b) and (6)(b); and
- (b) sections 14 to 19 of the 1998 Act.

4. Where the latest report of an inspection of a school was under the 1996 Act and identified that the school has an inadequate sixth form, that report is to be treated as the report of an inspection which identified that the school requires significant improvement in relation to its sixth form for the purposes of section 113 of, and Schedule 7 to, the 2000 Act (as amended by section 46 of, and Schedule 5 to, the 2005 Act).

5. Where notice of appeal is served on the tribunal before 1 September 2006, section 27 and Schedule 3 are to apply to the appeal as though subsection (2) of section 27 were omitted.

6. Despite the bringing into force by this Order of section 27 and Schedule 3, and of the repeals of section 9 of, and Schedule 2 to, the 1996 Act on 1 September 2006, any regulations made by the Secretary of State under paragraph 2 of Schedule 2 to the 1996 Act in force on 31 August 2006 (“*the existing Regulations*”) are to continue to have effect in relation to Wales until the date on which regulations made by the National Assembly for Wales under paragraph 2 of Schedule 3 come into force, as if the existing regulations had been made by the National Assembly under that paragraph of that Schedule.