

## SCHEDULE 2

### MINOR AND CONSEQUENTIAL AMENDMENTS AND REPEALS

#### *Education Act 1996 (c. 56)*

14 After section 396 insert—

#### **“396A Power of Welsh Ministers to direct advisory council to revoke determination etc**

- (1) Where the Welsh Ministers are satisfied, either on complaint by any person or otherwise, that any standing advisory council constituted by a local authority in Wales under section 390—
  - (a) have acted, or are proposing to act, unreasonably in determining for the purposes of section 394 or 395 whether it is appropriate for the requirement imposed by paragraph 3(2) of Schedule 20 to the School Standards and Framework Act 1998 to apply in the case of any school or any class or description of pupils at a school, or
  - (b) have failed to discharge any duty imposed under section 394 or 395, the Welsh Ministers may give the council such directions as to the revocation of the determination, or the withdrawal of the proposed determination or (as the case may be) the discharge of the duty as appear to them to be expedient; and the council shall comply with the directions.
- (2) Directions under subsection (1) may provide for the making by the council of a new determination to take effect in place of the determination or proposed determination to be revoked or withdrawn by them.”