

SCHEDULES

SCHEDULE 8

Section 47(3).

TRANSITIONAL PROVISIONS

Continuity of the law

- 1 (1) The repeal (or revocation) and re-enactment of provisions by this Act does not affect the continuity of the law.
- (2) Any subordinate legislation made or other thing done, or having effect as if done, under or for the purposes of any provision repealed and re-enacted by this Act shall, if in force or effective immediately before the commencement of the corresponding provision of this Act, have effect thereafter as if made or done under or for the purposes of that corresponding provision.
- (3) Any reference (express or implied) in this Act or any other enactment or in any instrument or document—
- (a) to any provision of this Act, or
 - (b) to things done or falling to be done under or for the purposes of any provision of this Act,
- shall (so far as the context permits) be construed as including, in relation to times, circumstances or purposes in relation to which the corresponding provision repealed by this Act had effect, a reference—
- (i) to that corresponding provision, or
 - (ii) to things done or falling to be done under or for the purposes of that corresponding provision,
- as the case may be.
- (4) Any reference (express or implied) in any enactment or in any instrument or document—
- (a) to any provision repealed and re-enacted by this Act, or
 - (b) to things done or falling to be done under or for the purposes of any such provision,
- shall (so far as the context permits) be construed as including, in relation to times, circumstances or purposes in relation to which the corresponding provision of this Act has effect, a reference—
- (i) to that corresponding provision, or
 - (ii) to things done or falling to be done under or for the purposes of that corresponding provision,
- as the case may be.
- (5) Without prejudice to the generality of sub-paragraph (4), where a power conferred by an Act is expressed to be exercisable in relation to enactments contained in Acts passed before or in the same Session as the Act conferring the power, the

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power is also exercisable in relation to provisions of this Act which reproduce such enactments.

- (6) Sub-paragraphs (1) to (5) have effect instead of section 17(2) of the Interpretation Act 1978 (but are without prejudice to any other provision of that Act); and sub-paragraph (1) has effect subject to any amendments of the law which give effect to recommendations of the Law Commission.

New documents referring to repealed enactments

- 2 Any reference to an enactment repealed by this Act which is contained in a document made, served or issued after the commencement of that repeal shall be construed, except so far as a contrary intention appears, as a reference to or (as the context may require) including a reference to the corresponding provision of this Act.

Application of sections 2(9) and 5(9)

- 3 Sections 2(9) and 5(9) shall not have effect in relation to anything done before they come into force.

TABLE OF DERIVATIONS

Notes:

- 1 This Table shows the derivation of the provisions of the Bill.
- 2 The following abbreviations are used in the Table:—
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|------|--|
| 1992 | = Education (Schools) Act 1992 (c. 38) |
| 1993 | = Education Act 1993 (c. 35) |
- 3 The abbreviation “Law Com. Rec. No.” followed by a number refers to a recommendation set out in the paragraph of that number in Appendix 1 to the Report of the Law Commission (Cm.3251).

<i>Provision</i>	<i>Derivation</i>
1	1992 s.1.
2(1) to (6)	1992 s.2.
(7)	1992 s.4.
(8) to (10)	Law Com. Rec. No.22.
3	1992 s.3.
4	1992 s.5.
5(1) to (6)	1992 s.6.
(7)	1992 s.8.
(8) to (10)	Law Com. Rec. No.22.
6	1992 s.7.

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<i>Provision</i>	<i>Derivation</i>
7(1) to (9)	1992 s.10.
(10)	Drafting.
8	1992 s.11.
9	1992 s.12.
10(1), (2)	1992 s.9(1), (2).
(3)	1992 s.9(3); 1993 Sch.19 para.173(1)(a).
(4)	1993 s.227(4).
(5), (6)	1992 s.9(4), (5).
(7)	Drafting.
(8)	1992 s.9(6); 1993 Sch.19 para.173(1)(b).
(9)	1992 s.9(7); 1993 Sch.19 para.173(1)(c).
11(1)	1992 s.9(7); 1993 s.204(1), (4), Sch.19 para.173(1)(c).
(2)	1993 s.204(1).
(3)	1992 s.9(7); 1993 s.204(4), Sch.19 para.173(1)(c).
(4)	1993 s.204(2).
(5)	1992 Sch.2 para.1.
(6)	1992 Sch.2 para.1; 1993 s.204(2), Sch.19 para.173(3).
12(1), (2)	1992 Sch.2 para.12(1), (2); 1993 s.205(1), (2), Sch.19 para.173(7); Law Com. Rec. No.23.
(3), (4)	1992 Sch.2 para.12(3); 1993 s.205(3), Sch.19 para.173(7); Law Com. Rec. No.23.
13(1) to (8)	1992 Sch.2 para.9; 1993 s.206, Sch.19 para.173(5).
(9)	1992 Sch.2 para.1; 1993 s.204(3), Sch.19 para.173(3).
14	1992 Sch.2 para.9A; 1993 s.207, Sch.19 para.173(5).
15(1), (2)	1992 Sch.2 para.9B(1), (2); 1993 s.208(1), (2), Sch.19 para.173(5).
(3)	1993 s.208(3).

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<i>Provision</i>	<i>Derivation</i>
(4)	1992 Sch.2 para.9B(3); 1993 Sch.19 para.173(5).
(5)	1992 Sch.2 para.9B(4); 1993 s.208(4), Sch.19 para.173(5).
16	1993 s.209.
17	1993 s.210.
18	1993 s.211.
19	1993 s.212.
20(1)	1992 Sch.2 para.9C(1), (3); 1993 Sch.19 para.173(5).
(2)	1992 Sch.2 para.9C(2); 1993 Sch.19 para.173(5).
(3), (4)	1992 Sch.2 para.9C(4), (5); 1993 Sch.19 para.173(5).
21	1992 Sch.2 para.10; 1993 Sch.19 para.173(6).
22	1992 Sch.2 para.11; 1993 Sch.19 para.173(6).
23(1) to (4)	1992 s.13(1) to (3A); 1993 s.259(2).
(5) to (7)	1992 s.13(4) to (6).
(8)	1992 s.13(7); 1993 s.259(3).
(9), (10)	1992 s.13(8), (9).
24	1992 s.14.
25	1992 s.15.
26	1993 s.213.
27(1) to (8)	1993 s.214(1) to (8).
(9)	1993 s.204(2).
(10)	1993 s.214(9).
28	1993 s.215.
29	1993 s.216.
30	1993 s.217.
31	1993 s.218.
32	1993 s.219.
33	1993 s.220.
34	1993 s.221.
35	1993 s.222.

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<i>Provision</i>	<i>Derivation</i>
36	1993 s.223.
37	1993 s.224.
38	1993 s.225.
39	1993 s.226.
40	1993 s.227(1) to (3).
41(1), (2)	1993 s.228(1).
(3) to (5)	1993 s.228(2) to (4).
42	1992 s.18(3).
43	1992 s.20(2).
44(1)	1993 s.299(1) to (4).
(2)	1993 s.299(5).
45(1)	1992 s.19(1); 1993 s.301(1), (2).
(2)	1992 s.19(2); 1993 s.301(3).
(3), (4)	1992 s.19(3); 1993 s. 301(6); Law Com. Rec. No.24.
46(1)	1992 s.18(1); Interpretation Act 1978 (c. 30) s. 17(2)(a) (“denominational education”); 1992 Sch.2 para.1 (“member of the Inspectorate”); 1993 ss.204(2), 305(1), Sch.19 para.173(3).
(2)	Drafting.
(3)	1992 s.18(2).
(4)	1992 s.18(4); 1993 s.305(3).
47	Drafting.
48(1), (2)	Drafting.
(3)	1992 s.21(4); 1993 s.308(4); drafting.
(4)	1992 s.21(6); drafting.
(5)	Drafting.
Sch. 1	
paras.1, 2	1992 Sch.1 paras.1, 2.
para.3	1992 Sch.1 para.3; The Transfer of Functions (Treasury and Minister for the Civil Service) Order 1995 (S.I. 995/269) Art.3, Sch. para.19.
para.4	1992 Sch.1 para.5.
para.5	1992 Sch.1 para.6; Law Com. Rec. No. 22.

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<i>Provision</i>	<i>Derivation</i>
para.6 Sch. 2	1992 Sch.1 para.7.
para.1	1992 Sch.3 para.1; Judicial Pensions and Retirement Act 1993 (c. 8) Sch.6 para.67.
para.2	1992 Sch.3 para.2.
para.3 Sch. 3	1992 Sch.3 para.3(1).
para.1	1992 Sch.2 para.1; 1993 Sch.19 para.173(3).
paras.2, 3	1992 Sch.2 paras. 2, 3; 1993 Sch.19 para.173(4).
para.4(1)	1992 Sch.3 para.4(1); 1993 Sch.19 para.173(4).
(2)	1992 Sch.3 para.4(3).
(3)	1992 Sch.3 para.4(2).
para.5(1)	1992 Sch.3 para.5(1); 1993 Sch.19 para.173(4).
(2)	1992 Sch.3 para.5(3).
(3)	1992 Sch.3 para.5(2).
paras.6, 7	1992 Sch.3 paras.6, 7; 1993 Sch.19 para.173(4).
para.8 Sch. 4	1992 Sch.3 para.8.
para.1	1992 Sch.2 para.13.
para.2	1992 Sch.2 para.14; 1993 Sch.19 para.173(8).
para.3	1992 Sch.2 para.15; Interpretation Act 1978 (c. 30) s. 17(2)(a) (“governors' report”); 1993 Sch.19 para.173(9).
Sch. 5	1993 Sch.12.
Sch. 6	
para.1	1992 Sch.1 para.8.
paras.2, 3	1992 Sch.1 para.9.
paras.4 to 7	Drafting.
Sch. 7	Drafting.
Sch. 8	Drafting.