



# School Standards and Framework Act 1998

## 1998 CHAPTER 31

### PART II

#### NEW FRAMEWORK FOR MAINTAINED SCHOOLS

### CHAPTER I

#### INTRODUCTORY

##### *The new categories of schools*

#### **[<sup>F1</sup>23B Powers of Secretary of State in relation to charity trustees of foundations**

- (1) Regulations may make provision enabling the Secretary of State in prescribed cases by direction—
  - (a) to remove any charity trustee of a school to which section 23A applies, even though the person is not disqualified by virtue of subsection (9) of that section;
  - (b) to appoint a person to be a charity trustee of such a school (whether in place of a trustee removed by him under paragraph (a) or otherwise).
- (2) Regulations under subsection (1) may make provision as to the effect of a direction given by the Secretary of State under the regulations, and may in particular provide for any such direction to have the same effect as an order of the Charity Commission for England and Wales under [<sup>F2</sup>section 76 or sections 79 to 81 of the Charities Act 2011] for the removal or appointment of a charity trustee.
- (3) Nothing in this section affects the powers of the Charity Commission for England and Wales under any enactment.]

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**Changes to legislation:** School Standards and Framework Act 1998, Section 23B is up to date with all changes known to be in force on or before 17 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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### Textual Amendments

- F1** Ss. 23A, 23B inserted (1.4.2007 for the insertion of ss. 23A(9)(10), 23B, 25.5.2007 in so far as not already in force) by Education and Inspections Act 2006 (c. 40), ss. 33, 188(3) (with s. 33(2)); S.I. 2007/935, arts. 5(h), 7(h)
- F2** Words in s. 23B(2) substituted (14.3.2012) by Charities Act 2011 (c. 25), s. 355, Sch. 7 para. 77 (with s. 20(2), Sch. 8)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 14(3)(aa) inserted by [2011 nawm 7 s. 16\(2\)](#) (Amendment not applied to [legislation.gov.uk](#) - s.16(02) of 2011 nawm007 omitted by 2013 nawm001 s. 100(4), Sch. 5 para. 13(2); S.I. 2014/178, art. 2(f) (with art. 3) prior to commencement)
- s. 18B inserted by [2011 nawm 7 s. 16\(3\)](#) (Amendment not applied to [legislation.gov.uk](#) - s.16(02) of 2011 nawm007 omitted by 2013 nawm001 s. 100(4), Sch. 5 para. 13(2); S.I. 2014/178, art. 2(f) (with art. 3) prior to commencement)
- Sch. 22 para. 5(1B) inserted by [2023 c. 55 s. 235\(4\)](#)