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**Changes to legislation:** Education Act 2002, Paragraph 3 is up to date with all changes known to be in force on or before 19 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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## SCHEDULES

### SCHEDULE 4

#### ADMISSION ARRANGEMENTS

##### *Parental preferences*

3 (1) Section 86 of the 1998 Act (parental preferences) is amended as follows.

<sup>F1</sup>(2) . . . . .

(3) After subsection (2) there is inserted—

“(2A) Arrangements made under subsection (1) may allow the parent of a child to express preferences for more than one school; but nothing in this section requires the admission authority for a maintained school for which a child’s parent has expressed a preference to offer the child admission to the school if, in accordance with a scheme adopted or made by virtue of section 89B, the child is offered admission to a different school for which the parent has also expressed a preference.”

(4) In subsection (3)—

- (a) at the end of paragraph (a) there is inserted “ or ”, and
- (b) paragraph (b) is omitted.

<sup>F2</sup>(5) . . . . .

(6) Subsection (6) shall cease to have effect.

<sup>F3</sup>(7) . . . . .

(8) In subsection (9), for “provide for all pupils admitted to the school” there is substituted “, or arrangements such as are mentioned in subsection (3B), provide for all pupils selected under the arrangements”.

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#### **Textual Amendments**

- F1** Sch. 4 para. 3(2) repealed (5.1.2015) by [Education and Skills Act 2008 \(c. 25\)](#), s. 173(3)(4), [Sch. 2](#); [S.I. 2014/3364](#), [art. 2\(aa\)](#) (with [art. 4](#))
- F2** Sch. 4 para. 3(5) repealed (5.1.2015) by [Education and Skills Act 2008 \(c. 25\)](#), s. 173(3)(4), [Sch. 2](#); [S.I. 2014/3364](#), [art. 2\(aa\)](#) (with [art. 4](#))
- F3** Sch. 4 para. 3(7) repealed (5.1.2015) by [Education and Skills Act 2008 \(c. 25\)](#), s. 173(3)(4), [Sch. 2](#); [S.I. 2014/3364](#), [art. 2\(aa\)](#) (with [art. 4](#))

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#### **Commencement Information**

- II** Sch. 4 para. 3 partly in force; Sch. 4 para. 3 not in force at Royal Assent, see s. 216; Sch. 4 para. 3 in force for E. at 1.10.2002 by [S.I. 2002/2439](#), [art. 3](#) (with transitional provisions and savings in [art. 4](#), [Sch.](#)) (as amended (4.12.2003) by [S.I. 2003/2992](#), [arts. 1, 3](#))

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| <b>I2</b> | Sch. 4 para. 3(1)-(5) (7)(8) in force at 31.5.2005 for W. by S.I. 2005/1395, art. 4, <b>Sch.</b> (with art. 5(1)) |
| <b>I3</b> | Sch. 4 para. 3(6) in force at 1.2.2006 for W. by S.I. 2006/172, art. 4, <b>Sch.</b>                               |

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2003/1667 Sch. para. 1 by [S.I. 2004/571 Sch.](#)
- specified provision(s) amendment to earlier commencing SI 2003/1667 Sch. para. 1A and 2 by [S.I. 2005/2570 art. 2](#)

**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. 27(1A) inserted by [2010 c. 26 s. 4\(1\)](#)
- s. 29(2A)-(2D) inserted by [2009 c. 22 s. 260\(4\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 250 omitted (1.9.2012) by virtue of 2011 c. 21, s. 29(9)(d); S.I. 2012/1087, art. 3)
- s. 29B inserted by [2008 c. 25 s. 157](#)
- s. 8585A substituted for s. 85 by [2006 c. 40 s. 74\(1\)](#)
- s. 85A amendment to earlier affecting provision 2006 c. 40 s. 74(1) by [2011 c. 21 s. 31\(2\)](#)
- s. 85A(5) words substituted by [2009 c. 22 Sch. 12 para. 34](#)
- s. 86(1) s. 86 renumbered as s. 86(1) by [2006 c. 40 s. 74\(2\)\(c\)](#)
- s. 86(2) inserted by [2006 c. 40 s. 74\(2\)\(c\)](#)
- s. 88(2)-(7) inserted by [2006 c. 40 s. 74\(3\)](#)
- s. 88(7) repealed by [S.I. 2010/1080 Sch. 1 para. 45Sch. 2 Pt. 1](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 88(2)-(7) by 2006 c. 40, s 74(3) was repealed without ever being brought into force.)
- s. 142(9)(b) words substituted by [S.I. 2010/1158 Sch. 2 para. 11\(10\)\(b\)](#)
- s. 210A inserted by [2008 c. 25 Sch. 1 para. 79](#)