



Education Act 2002

2002 CHAPTER 32

PART 11

MISCELLANEOUS AND GENERAL

General

216 Commencement

- (1) The following provisions shall come into force on the day on which this Act is passed—
- section 13,
 - section 52(7) to (10),
 - section 147,
 - section 186,
 - section 190,
 - sections 210 to 214, and
 - this section and section 217.
- (2) The following provisions shall come into force in accordance with provision made by the Secretary of State by order—
- sections 65 to 69 and Schedule 7,
 - section 70 and Schedule 8,
 - section 71,
 - section 73,
 - Part 6,
 - sections 119 to 130 and Schedule 11,
 - section 209,
 - [^{F1} paragraphs 1 to 4 and 9 of Schedule 17, and section 189 so far as relating to those paragraphs,]

Changes to legislation: Education Act 2002, Section 216 is up to date with all changes known to be in force on or before 16 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

paragraphs 14, 17, 18, 56, 91 and 119 of Schedule 21, and section 215(1) so far as relating to those paragraphs, and

Part 1 of Schedule 22, and section 215(2) so far as relating to that Part.

(3) The following provisions shall come into force in accordance with provision made by the National Assembly for Wales by order—

[^{F2}Part 7,]

section 139,

sections 191 to 198 and Schedule 18,

paragraphs 5 to 8 of Schedule 17, and section 189 so far as relating to those paragraphs, and

Part 2 of Schedule 22, and section 215(2) so far as relating to that Part.

(4) Subject to subsections (1) to (3), this Act shall come into force—

(a) except in relation to Wales, in accordance with provision made by the Secretary of State by order, and

(b) in relation to Wales, in accordance with provision made by the National Assembly for Wales by order.

(5) An order under this section may—

(a) make provision generally or for specified purposes only,

(b) make different provision for different purposes, and

(c) contain such transitional provisions and savings as the person making the order thinks fit.

Subordinate Legislation Made

P1 S. 216(4) power partly exercised: different dates appointed for specified provisions and certain purposes by {S.I. 2002/2002}, arts. 2-4 (as amended by S.I. 2002/2018); s. 216(4) power partly exercised 1.10.2002 appointed for specified provisions and certain purposes by S.I. 2002/2439, arts. 2, 3 (with transitional and saving provisions in Sch.); s. 216(4) power partly exercised: 20.1.2003 appointed for specified provisions and certain purposes by {S.I. 2002/2952}, art. 2 (with transitional and saving provisions in Sch.); s. 216(4) power partly exercised: different dates appointed for specified provisions and certain purposes by {S.I. 2002/3185}, arts. 4-6, Sch. (with transitional provisions and savings in art. 7)

Textual Amendments

F1 Words in s. 216(2) repealed (1.4.2010 for E., 1.11.2010 for W.) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), s. 269(4), Sch. 16 Pt. 4; S.I. 2010/1151, art. 2, Sch. 1; S.I. 2010/2413, art. 2(a)

F2 Words in s. 216(3) omitted (1.9.2022 for specified purposes, 1.9.2023 for specified purposes) by virtue of The Curriculum and Assessment (Wales) Act 2021 (Consequential Amendments) (Primary Legislation) Regulations 2022 (S.I. 2022/744), reg. 1(3), Sch. 2 para. 6(7)

Changes to legislation:

Education Act 2002, Section 216 is up to date with all changes known to be in force on or before 16 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.

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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](#)