
Status: Point in time view as at 01/09/2006.

Changes to legislation: There are currently no known outstanding effects for the Education Act 2005, Cross Heading: Education Act 1996 (c. 56). (See end of Document for details)

SCHEDULES

SCHEDULE 12

SCHOOL ORGANISATION: FURTHER AMENDMENTS

Education Act 1996 (c. 56)

- 1 (1) Section 5 of the Education Act 1996 (primary schools, secondary schools and middle schools) is amended as follows.
 - (2) For subsection (3) substitute—

“(3) In this Act “middle school” means a school which, in pursuance of proposals published under section 28 or 28A of, or paragraph 5 of Schedule 7 to, the School Standards and Framework Act 1998 or section 66 of, or paragraph 7 of Schedule 11 to, the Education Act 2005, has been established as, or altered so as to become, a school for providing full-time education suitable to the requirements of pupils who—

 - (a) have attained a specified age below 10 years and six months, and
 - (b) are under a specified age above 12 years (referred to in this Act as “the relevant upper age”).”
 - (3) In subsection (5) for the words from the beginning to “subsection” substitute “ The powers conferred by the enactments mentioned in subsection (3) (so far as relating to the establishment of middle schools) and the powers conferred by subsection ”.
- 2 In section 529 of the Education Act 1996 (power to accept gifts on trust for educational purposes), in subsection (2), for the words from “section 28” to the end substitute “ sections 28 and 28A of the School Standards and Framework Act 1998 and section 66 of the Education Act 2005 as an intention to establish a new community school (so that proposals for that purpose shall be published in accordance with those sections); and Schedule 6 to the School Standards and Framework Act 1998 or Schedule 10 to the Education Act 2005 (which relate to statutory proposals) shall apply accordingly ”.
- 3 In section 530 of the Education Act 1996 (compulsory purchase of land), in subsection (1)(c), for “section 70 of the Education Act 2002” substitute “ section 66 of the Education Act 2005 ”.
- 4 In section 580 of the Education Act 1996 (index), after the entry beginning “relevant standard number” insert—

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“relevant upper age (in relation to a middle school) section 5(3)(b)”

- 5
- (1) In Schedule 35A to the Education Act 1996 (Academies: land), paragraph 1 is amended as follows.
 - (2) In sub-paragraph (2)(b), for “section 70 of the Education Act 2002 (new schools to meet increased demand for secondary education)” substitute “ section 66 of the Education Act 2005 (proposals for new secondary schools) ”.
 - (3) In sub-paragraph (3)(d), for “section 70 of the Education Act 2002” substitute “ section 66 of the Education Act 2005 ”.

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Education Act 1996 (c. 56).