

Status: Point in time view as at 01/10/2013.

Changes to legislation: Education and Inspections Act 2006, Cross Heading: School Standards and Framework Act 1998 (c. 31) is up to date with all changes known to be in force on or before 23 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)

SCHEDULES

SCHEDULE 3

AMENDMENTS RELATING TO SCHOOL ORGANISATION

School Standards and Framework Act 1998 (c. 31)

- 13 (1) Section 20 of SSFA 1998 (new categories of maintained schools) is amended as follows.
- (2) In subsection (2), for “Schedule 8”, wherever occurring, substitute “ the change of category provisions ”.
- (3) After subsection (2) insert—
- “(2A) In subsection (2) “the change of category provisions” means—
- (a) in the case of a school in England, Schedule 8 to this Act or sections 18 to 24 of the Education and Inspections Act 2006, and
- (b) in the case of a school in Wales, Schedule 8 to this Act.”

Commencement Information

I1 Sch. 3 para. 13 in force at 25.5.2007 by [S.I. 2007/935](#), [art. 7\(o\)](#)

- 14 In section 21 of SSFA 1998 (kinds of foundation and voluntary schools and types of foundations), in subsection (6)—
- (a) in paragraph (a), after “Schedule 8” insert “ or under section 19 of the Education and Inspections Act 2006 ”,
- (b) in paragraph (f)—
- (i) in sub-paragraph (i), after “Schedule 8” insert “ or under section 19 of the Education and Inspections Act 2006 ”,
- ^{F1}(ii)
- (iii) in sub-paragraph (iii), after “voluntary school” insert “ in Wales ”,
- (c) in paragraph (h), after “his consent” insert “ or to the disposal of which paragraph A9 of Schedule 22 would apply ”, and
- (d) in paragraph (i), omit “school organisation committees and”.

Textual Amendments

F1 Sch. 3 para. 14(b)(ii) omitted (1.10.2013) by virtue of [School Standards and Organisation \(Wales\) Act 2013 \(anaw 1\)](#), s. 100(4), [Sch. 5 para. 23\(3\)](#); [S.I. 2013/1800](#), art. 3(j)

Commencement Information

I2 Sch. 3 para. 14 in force at 25.5.2007 by [S.I. 2007/935](#), [art. 7\(o\)](#)

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15 In section 22 of SSFA 1998 (maintenance and other funding of schools) for subsection (2) substitute—

“(2) Subsection (1) has effect subject to any statutory provision authorising the discontinuance of a maintained school or maintained nursery school.”

Commencement Information
I3 Sch. 3 para. 15 in force at 25.5.2007 by [S.I. 2007/935](#), [art. 7\(o\)](#)

16 In section 25 of SSFA 1998 (adjudicators), in subsection (2), for “or Part 2 of the Education Act 2005” substitute “ or Part 2 of the Education and Inspections Act 2006 ”.

Commencement Information
I4 Sch. 3 para. 16 in force at 25.5.2007 by [S.I. 2007/935](#), [art. 7\(o\)](#)

17 Omit section 27 of SSFA 1998 (power to require committees or adjudicators for Wales).

Commencement Information
I5 Sch. 3 para. 17 in force at 25.5.2007 by [S.I. 2007/935](#), [art. 7\(o\)](#)

^{F2}18

Textual Amendments
F2 Sch. 3 para. 18 omitted (1.10.2013) by virtue of [School Standards and Organisation \(Wales\) Act 2013](#) (anaw 1), s. 100(4), [Sch. 5 para. 23\(3\)](#); [S.I. 2013/1800](#), art. 3(j)

19 Omit section 28A of SSFA 1998 (proposals for establishment of community, foundation or voluntary school maintained by English local education authority).

Commencement Information
I6 Sch. 3 para. 19 in force at 25.5.2007 by [S.I. 2007/935](#), [art. 7\(o\)](#)

^{F3}20

Textual Amendments
F3 Sch. 3 para. 20 omitted (1.10.2013) by virtue of [School Standards and Organisation \(Wales\) Act 2013](#) (anaw 1), s. 100(4), [Sch. 5 para. 23\(3\)](#); [S.I. 2013/1800](#), art. 3(j)

21 In section 30 of SSFA 1998 (notice by governing body to discontinue foundation or voluntary school) for subsection (9) substitute—

“(9) Nothing in any of the following provisions applies in relation to the discontinuance under this section of a foundation or voluntary school—

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- (a) sections 29 and 33 of this Act (which relate to Wales), and
- (b) sections 15 and 28 of the Education and Inspections Act 2006 (which relate to England).”

Commencement Information

I7 Sch. 3 para. 21 in force at 25.5.2007 by S.I. 2007/935, art. 7(o)

F422

Textual Amendments

F4 Sch. 3 paras. 22-26 omitted (1.10.2013) by virtue of School Standards and Organisation (Wales) Act 2013 (anaw 1), s. 100(4), Sch. 5 para. 23(3); S.I. 2013/1800, art. 3(j)

F423

Textual Amendments

F4 Sch. 3 paras. 22-26 omitted (1.10.2013) by virtue of School Standards and Organisation (Wales) Act 2013 (anaw 1), s. 100(4), Sch. 5 para. 23(3); S.I. 2013/1800, art. 3(j)

F424

Textual Amendments

F4 Sch. 3 paras. 22-26 omitted (1.10.2013) by virtue of School Standards and Organisation (Wales) Act 2013 (anaw 1), s. 100(4), Sch. 5 para. 23(3); S.I. 2013/1800, art. 3(j)

F425

Textual Amendments

F4 Sch. 3 paras. 22-26 omitted (1.10.2013) by virtue of School Standards and Organisation (Wales) Act 2013 (anaw 1), s. 100(4), Sch. 5 para. 23(3); S.I. 2013/1800, art. 3(j)

F426

Textual Amendments

F4 Sch. 3 paras. 22-26 omitted (1.10.2013) by virtue of School Standards and Organisation (Wales) Act 2013 (anaw 1), s. 100(4), Sch. 5 para. 23(3); S.I. 2013/1800, art. 3(j)

27 (1) Section 79 of SSFA 1998 (stamp duty) is amended as follows.

(2) In subsection (1)—

- (a) omit the word “or” at the end of paragraph (b), and
- (b) at the end of paragraph (c) insert “, or

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- (d) any regulations made under section 24 of the Education and Inspections Act 2006 by virtue of subsection (3)(b) of that section.”.

(3) In subsection (3), for “subsection (1)” substitute “ subsection (1)(a) to (c) ”.

Commencement Information

I8 Sch. 3 para. 27 in force at 25.5.2007 by [S.I. 2007/935](#), [art. 7\(o\)](#)

- 28 In section 82 of SSFA 1998 (modification of trust deeds), in subsection (1), for “or the Education Act 2002” substitute “ , the Education Act 2002 or the Education and Inspections Act 2006 ”.

Commencement Information

I9 Sch. 3 para. 28 in force at 25.5.2007 by [S.I. 2007/935](#), [art. 7\(o\)](#)

- 29 (1) Section 109 of SSFA 1998 (proposals by governing body of grammar school to end selective admission arrangements) is amended as follows.
- (2) In subsection (2)—
- (a) for “for the purposes of section 28” substitute “ under section 18 of the 2006 Act ”, and
- (b) for “that section” substitute “ section 19 of the 2006 Act ”.
- (3) In subsection (3)—
- (a) in paragraph (a), for “section 28 or Schedule 6” substitute “ sections 19 to 24 of the 2006 Act or regulations under those sections ”, and
- (b) in paragraph (b), for “section 28” substitute “ section 19 of the 2006 Act ”.
- (4) In subsection (4)—
- (a) for “section 28” substitute “ section 19 of the 2006 Act ”, and
- (b) for “paragraph 5 or 10 of Schedule 6” substitute “ regulations under section 24 of that Act ”.
- (5) After subsection (5) insert—
- “(6) In this section “the 2006 Act” means the Education and Inspections Act 2006.”

Commencement Information

I10 Sch. 3 para. 29 in force at 25.5.2007 by [S.I. 2007/935](#), [art. 7\(o\)](#)

- 30 In section 143 of SSFA 1998 (index)—
- (a) in the entry beginning “promoters”—
- (i) after “Part II” insert “ in relation to Wales ”, and
- (ii) omit “or 28A(2)”
- (b) omit the entry beginning “school organisation committee”.

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Commencement Information

I11 Sch. 3 para. 30 in force at 25.5.2007 by [S.I. 2007/935](#), [art. 7\(o\)](#)

31 (1) Schedule 3 to SSFA 1998 (funding of foundation, voluntary and foundation special schools) is amended as follows.

(2) In paragraph 2(2), for paragraph (a) substitute—

“(a) apply in relation to the provision of any site or buildings which—

(i) in the case of a school in England, the authority or the person by whom any proposals were made are required to provide by virtue of Part 3 of Schedule 2 to the Education and Inspections Act 2006 (provision of premises in connection with proposals for establishment of school) or by virtue of regulations under section 24 of that Act (implementation of proposals for alteration of school), or

(ii) in the case of a school in Wales, the authority or promoters are required to provide by virtue of Part 3 of Schedule 6 (provision of premises in connection with statutory proposals); or”.

(3) At the beginning of Part 2 insert—

“Interpretation of Part

2A In this Part of this Schedule “promoters”, in relation to a school in England, means persons who are for the purposes of Schedule 2 to the Education and Inspections Act 2006 the proposers in relation to proposals for the establishment of the school.”

Commencement Information

I12 Sch. 3 para. 31 in force at 25.5.2007 by [S.I. 2007/935](#), [art. 7\(o\)](#)

32 In Schedule 5 to SSFA 1998 (adjudicators), in paragraph 5(1) for “or under Part 2 of the Education Act 2005” substitute “ or under Part 2 of the Education and Inspections Act 2006 ”.

Commencement Information

I13 Sch. 3 para. 32 in force at 25.5.2007 by [S.I. 2007/935](#), [art. 7\(o\)](#)

^{F5}33

Textual Amendments

F5 Sch. 3 paras. 33-36 omitted (1.10.2013) by virtue of [School Standards and Organisation \(Wales\) Act 2013 \(anaw 1\)](#), s. 100(4), [Sch. 5 para. 23\(3\)](#); [S.I. 2013/1800](#), art. 3(j)

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Textual Amendments

- F5** Sch. 3 paras. 33-36 omitted (1.10.2013) by virtue of [School Standards and Organisation \(Wales\) Act 2013 \(anaw 1\)](#), s. 100(4), [Sch. 5 para. 23\(3\)](#); S.I. 2013/1800, art. 3(j)

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