
Changes to legislation: Education and Skills Act 2008, Paragraph 62 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

SCHEDULES

SCHEDULE 1

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 2

MISCELLANEOUS

School Standards and Framework Act 1998 (c. 31)

- 62 (1) Section 90 (reference of objections to adjudicator or Secretary of State) is amended as follows.
- (2) In the title, for “adjudicator or Secretary of State” substitute “ Welsh Ministers ”.
- (3) In subsections (1) and (2), for “the adjudicator” substitute “ the Welsh Ministers ”.
- (4) After subsection (2) insert—
- “(2A) Where any objection is referred to the Welsh Ministers, they shall decide whether, and (if so) to what extent, the objection should be upheld.”
- (5) Omit subsections (3) to (5).
- (6) In subsection (5A)—
- (a) for “the adjudicator or the Secretary of State is” substitute “ the Welsh Ministers are ”;
- (b) for “subsection (3)(a) or (b) or (5)(c)” substitute “ (2A) ”;
- (c) for “he” (in both places) substitute “ they ”.
- (7) In subsection (5B)—
- (a) for “him” substitute “ them ”;
- (b) for “the adjudicator or the Secretary of State (as the case may be)” substitute “ the Welsh Ministers ”;
- (c) in paragraphs (a), (b) and (d), for “his” substitute “ their ”;
- (d) in paragraph (b) for “he has” substitute “ they have ”;
- (e) omit paragraph (c);
- (f) in paragraph (d), for “to (c)” substitute “ and (b) ”.
- (8) In subsection (5C)—
- (a) for “the adjudicator or the Secretary of State (as the case may be) decides” substitute “ the Welsh Ministers decide ”;
- (b) for “his” substitute “ their ”.
- (9) In subsection (8)—

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- (a) for “the adjudicator or the Secretary of State” (in both places) substitute “the Welsh Ministers”;
 - (b) for “has” substitute “ have ”.
- (10) In subsection (9)—
- (a) in paragraph (a)—
 - (i) for “the adjudicator or the Secretary of State” (in sub-paragraphs (i) and (ii)) substitute “ the Welsh Ministers ”;
 - (ii) in sub-paragraph (ii), for “is” substitute “ are ” and for “him” substitute “ them ”;
 - (b) in paragraph (b), for “the adjudicator or the Secretary of State” substitute “ the Welsh Ministers ”;
 - (c) omit paragraph (ba);
 - (d) in paragraphs (e) and (f), for “the adjudicator or the Secretary of State” substitute “ the Welsh Ministers ”.
- (11) In subsection (11), omit paragraph (b).

Commencement Information

II Sch. 1 para. 62 in force at 2.12.2008 by [S.I. 2008/3077](#), [art. 2\(d\)](#)

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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. 91(3)(c) inserted by [2022 asc 1 Sch. 4 para. 22\(3\)](#)