



Education and Skills Act 2008

2008 CHAPTER 25

PART 4

REGULATION AND INSPECTION OF INDEPENDENT EDUCATIONAL PROVISION IN ENGLAND

CHAPTER 1

INDEPENDENT EDUCATIONAL INSTITUTIONS IN ENGLAND

Appeals

126 Appeal by proprietor against order of justice of the peace

- (1) The proprietor of a registered independent educational institution may appeal to the Tribunal against the making of an order under section 120 (order of justice of the peace in an emergency).
- (2) On an appeal under this section the Tribunal may—
 - (a) confirm the making of the order,
 - (b) direct that the order is to cease to have effect, or
 - (c) direct that the order is to cease to have effect and make an order—
 - (i) imposing a relevant restriction on the proprietor of the institution, or
 - (ii) requiring the Secretary of State to remove the institution from the register on such date as the Tribunal may specify or, if it does not specify a date, from such date as the Secretary of State may determine.
- (3) Subsection (4) applies where—
 - (a) an appeal is brought under this section against an order that the institution be removed from the register, and
 - (b) the Tribunal directs that the order is to cease to have effect.
- (4) The institution—

Status: *This is the original version (as it was originally enacted).*

- (a) must be restored to the register by the Secretary of State, and
- (b) is to be treated as if it had not been removed from the register in pursuance of the order.