



# 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

#### *Registration procedure*

#### **98 Applications for registration**

- (1) The proprietor of an independent educational institution may apply to the Secretary of State for the institution to be entered on the register.
- (2) An application to enter an institution in the register must—
  - (a) contain the prescribed information, and
  - (b) be made in the prescribed manner.
- (3) The information prescribed under subsection (2)(a) must include information as to the following matters relating to the institution—
  - (a) whether the institution is—
    - (i) an independent school, or
    - (ii) an institution within section 92(1)(b);
  - (b) the age range of students;
  - (c) the maximum number of students;
  - (d) whether the institution is for male or female students or both;
  - (e) whether the institution provides accommodation for students;
  - (f) whether the institution is specially organised to make special educational provision for students with special educational needs;

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**Changes to legislation:** *Education and Skills Act 2008, Section 98 is up to date with all changes known to be in force on or before 28 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*

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- (g) in the case of an institution within paragraph (f), the type or types of special educational needs for which the institution is specially organised to make special educational provision.
- (4) The Secretary of State must notify the Chief Inspector of an application under this section.

**Commencement Information**

- I1** S. 98 in force at 19.6.2009 for specified purposes by [S.I. 2009/1513](#), **art. 2(2)**
- I2** S. 98 in force at 1.1.2011 in so far as not already in force by [S.I. 2010/2906](#), **art. 2(a)** (with [art. 3\(2\)](#)) (which transitional provisions in art. 3 are revoked (22.12.2014) by [S.I. 2014/3364](#), art. 3(3), Sch.)

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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\(3\)](#)