

1989 No. 501 (C.18)

EDUCATION, ENGLAND AND WALES

**The Education Reform Act 1988 (Commencement
No. 6) Order 1989**

Made - - - - 13th March 1989

In exercise of the powers conferred by section 236(6) to (8) of the Education Reform Act 1988(a) the Secretary of State for Wales hereby makes the following Order:-

Citation and interpretation

1.—(1) This Order may be cited as the Education Reform Act 1988 (Commencement No. 6) Order 1989.

(2) In this Order:-

“the Act” means the Education Reform Act 1988; and
references to the first, second, third and fourth key stages are references to the periods set out in paragraphs (a) to (d) respectively of section 3(3) of the Act.

Coming into force of certain provisions of the Act

2. The provisions of the Act specified in column 1 of Schedules 1 to 3 to this Order (which relate to the matters mentioned in column 2 thereof) shall, except as otherwise provided in the said column 1, come into force on the date specified in relation to each Schedule in the following table:-

Schedule 1	1st August 1989
Schedule 2	1st August 1990
Schedule 3	1st August 1991

Miscellaneous

3. In Schedule 3 to the Education Reform Act 1988 (Commencement No. 4) Order 1988(b), for the words “69 to 79” (relating to Schedule 12 to the Act) there shall be substituted the words “69 to 76, 78, 79”.

SCHEDULE 1

PROVISIONS COMING INTO FORCE ON 1st AUGUST 1989

<i>Provisions of the Act</i>	<i>Subject matter of the provisions</i>
Section 10(3) (so far as regards the core subjects in relation to pupils at schools in Wales in the first, second or third key stage who do not have a statement of special educational needs)	Duties with respect to certain requirements

SCHEDULE 2

PROVISIONS COMING INTO FORCE ON 1st AUGUST 1990

<i>Provisions of the Act</i>	<i>Subject matter of the provisions</i>
(i) Section 10(3) (so far as regards the core subjects in relation to pupils at schools in Wales in the first, second and third key stage who have a statement of special educational needs)	Duties with respect to certain requirements.
(ii) Section 10(3) (so far as regards the other foundation subjects in relation to pupils at schools in Wales in the first, second or third key stage)	Duties with respect to certain requirements
(iii) Section 10(3) (so far as regards the core subjects in relation to pupils at schools in Wales in the first year of the fourth key stage)	Duties with respect to certain requirements

SCHEDULE 3

PROVISIONS COMING INTO FORCE ON 1st AUGUST 1991

<i>Provisions of the Act</i>	<i>Subject matter of the provisions</i>
Section 10(3) (so far as regards the core subjects in relation to pupils at schools in Wales in the second year of the fourth key stage)	Duties with respect to certain requirements

13th March 1989

Peter Walker
Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order, which applies only to pupils at schools in Wales, brings into force on various dates the provisions of section 10(3) of the Education Reform Act 1988 in so far as that subsection applies for the various purposes specified in the Order. Section 10(3) of the 1988 Act imposes duties on local education authorities, governing bodies and head teachers of schools with respect to the teaching of subjects in the National Curriculum.

Section 10(3) is brought into force:—

- (a) on 1st August 1989 as regards the core subjects (defined in section 3(1) of the 1988 Act) for pupils in the first three key stages (defined in section 3(3) of the 1988 Act) who do not have a statement of special educational needs under the Education Act 1981 (c.60);
- (b) on 1st August 1990 as regards the core subjects for pupils in the first three key stages who do have a statement of special educational needs;
- (c) on 1st August 1990 as regards the other foundation subjects (defined in section 3(2) of the 1988 Act) for all pupils in the first three key stages;
- (d) on 1st August 1990 as regards the core subjects for pupils in the first year of the fourth key stage; and
- (e) on 1st August 1991 as regards the core subjects in relation to pupils in the second year of the fourth key stage.

Article 3 of the Order amends Schedule 3 to the Education Reform Act 1988 (Commencement No.4) Order 1988 (S.I. 1988/2271) by deleting the reference to paragraph 77 of Schedule 12 to the Act. That paragraph, amending paragraph 4 of Schedule 2 to the Sex Discrimination Act 1975 (c.65), which extends Section 27 of the Education Act 1980 (c.20) to enable provision to be made for transitional exemption Orders under the 1975 Act, will accordingly not come into force on 1st April 1989.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been brought or will be brought into force on the dates specified in the following table:—

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I.No.</i>
Sections 27, 28 and 32 (all partially) and section 30.	1st September 1988	1988/1459
Sections 26, 27(4) to (8) and 31(2) (all partially)	1st September 1989	1988/1459
Sections 26, 27(4) to (8) and 31(1) (all partially)	4th August 1990	1988/1459
Sections 17 to 19, 131 to 134 (including Schedule 8 to the extent not already in force), 136, 220 and paragraphs 83 to 85 of Schedule 12.	1st November 1988	1988/1794
Sections 121 (except for Southampton Institute of Higher Education) to 130 (including Schedule 7), 135, 219(2)(e), 226, 227(2) to (4), 228 and 229 and paragraphs 64 and 80 of Schedule 12.	21st November 1988	1988/1794
Sections 106 to 111, 117 and 118 and Schedule 13 as regards the repeal of section 61 of the Education Act 1944.	1st April 1989	1988/1794
Section 114, 214 to 216, and Schedule 13, as regards the repeal of section 3 of the Education Act 1967 and paragraph 14 of Schedule 3 to the Education Act 1980, and section 237(2) so far as it relates thereto.	30th November 1988	1988/2002
Section 218, paragraph 68 of Schedule 12 and section 237(1) so far as relating to those provisions, and Schedule 13, as regards the repeal of section 27 of the Education Act 1980 and paragraph 5 of Schedule 3 to the Education Act 1981, and section 237(2) so far as it relates thereto.	1st April 1989	1988/2002
Section 152(10) section 219 (to the extent not already in force), paragraph 63 of Schedule 12 and section 237(1) so far as relating to those provisions, and Schedule 13 so far as it relates to the repeal of sections 25 and 29(2) to (4) of the Education Act 1944, section 7 of the Education Act 1946, and the whole of the Education (No. 2) Act 1968 and section 237(2) so far as it relates thereto.	1st January 1989	1988/2271
Section 121 (to the extent not already in force).	1st February 1989	1988/2271
Section 120, paragraphs 54 to 57, 59, 61, 62, 65, 66, 69 to 79*, 86 to 98, 100, 101, 103 to 105 and 107 of Schedule 12 and section 237(1) so far as relating to those provisions. Schedule 13 so far as it relates to the repeal of sections 8(1)(b) (part), 42 to 46, 50 (part), 52(1) (part) 54 (part), 60, 62(2), 69 (part), 84 and 114 (part) of the Education Act 1944; section 8(3) of the Education Act 1946; section 31(1) and (4) of the London Government Act 1963; section 16 (part) of the Industrial Training Act 1964; sections 81(4)(a) (part) and 104(2) (part) of the Local Government Act 1972; sections 24 (part) and 25(6)(c)(ii) (part) of the Sex Discrimination Act 1975; sections 19(6)(c)(ii) (part) and 78(1) (part) of the Race Relations Act 1976; and section 56 (part) of the Education (No. 2) Act 1986; and section 237(2) so far as it relates thereto.	1st April 1989	1988/2271
* As to paragraph 77, see article 3 of this Order		
Section 7 (except in relation to ILEA schools), paragraph 99 of Schedule 12 and section 237(1) so far as relating to those provisions, and Schedule 13 so far as it relates to the repeal of sections 17(1) (part) and (4), 18(3) (part), (4), (6)(c)(ii) (part) and (8) (part), 19(3) and 20 of the Education (No. 2) Act 1986, and section 237(2) so far as it relates thereto.	1st August 1989	1988/2271

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I.No.</i>
Section 152 (to the extent not already in force)	1st April 1990	1988/2271
Section 7 (to the extent not already in force)	1st April 1990	1988/2271
Paragraph 58 of Schedule 12 and section 237(1) so far as it relates thereto and section 12 (except in relation to ILEA county schools).	1st March 1989	1989/164
Section 115.	1st May 1989	1989/164
Sections 5, 10(2) and (3) (the latter subsections partially) and 16.	1st August 1989	1989/164
Section 23(2) (except in relation to ILEA schools).	1st September 1989	1989/164
Sections 12 and 23(2) (to the extent not already in force).	1st April 1990	1989/164
Section 10(3) (partially).	1st August 1990	1989/164
Section 10(3) (partially).	1st August 1991	1989/164