

SCHEDULE 4

TRANSITIONAL AND SAVING PROVISIONS RELATING TO THE ADMISSION OF CHILDREN TO MAINTAINED SCHOOLS

Variation of standard numbers

- 6.—(1) This sub-paragraph applies where before 1st September 1999—
- (a) proposals have been published under paragraph 1 of Schedule 32 to the 1996 Act in relation to an application to the Secretary of State for an order under section 420(2) of that Act reducing a standard number applying to any county or voluntary school; but
 - (b) the Secretary of State has not determined that application by making or refusing to make an order under paragraph 5(1) of Schedule 32 to that Act.
- (2) Where sub-paragraph (1) applies, the provisions of—
- (a) section 420(2) and (3) of the 1996 Act,
 - (b) Schedule 32 to that Act (as amended by the modification regulations), and
 - (c) any regulations made under paragraph 1 of Schedule 32 (as they had effect immediately before 1st September 1999),

shall continue to apply in relation to those proposals and that application.

(3) Where, upon an application referred to in sub-paragraph (1), the Secretary of State decides to make an order as mentioned in paragraph 5(1) of Schedule 32 to the 1996 Act reducing the standard number, the relevant standard number which applies to the school in the school year beginning on or after 1st September 1999 by virtue of paragraph 1 of Schedule 23 to the 1998 Act shall have effect from the date specified in that order as if it had been reduced to the lower number so specified in accordance with paragraph 6 or (as the case may be) 10 of that Schedule.

- (4) This sub-paragraph applies where before 1st September 1999—
- (a) an application has been made by—
 - (i) the admission authority for a school, or
 - (ii) the governing body or local education authority in accordance with section 416(7) of the 1996 Act, for an order under section 420(2) of that Act increasing a relevant standard number; but
 - (b) the Secretary of State has not determined that application by making or refusing to make an order in respect that application under section 420(5).

(5) Where sub-paragraph (4) applies, section 420(2), (4) and (5) of the 1996 Act shall continue to have effect in relation to that application; and where, upon such an application, the Secretary of State decides to make an order under section 420(5) increasing the standard number, the relevant standard number which applies to the school in the school year beginning on or after 1st September 1999 by virtue of paragraph 1 of Schedule 23 to the 1998 Act shall have effect from the date specified in the order as if it had been increased to the higher number so specified in accordance with paragraph 6 or (as the case may be) 10 of that Schedule.

(6) This paragraph shall have effect notwithstanding the repeal of sections 416 and 420 of the 1996 Act, and the coming into force of section 93 of, and Schedule 23 to, the 1998 Act.