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STATUTORY INSTRUMENTS

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**1999 No. 120**

**The School Standards and Framework Act  
1998 (Commencement No. 5 and Saving  
and Transitional Provisions) Order 1999**

**Citation and interpretation**

1.—(1) This Order may be cited as the School Standards and Framework Act 1998 (Commencement No. 5 and Saving and Transitional Provisions) Order 1999.

(2) In this Order—

“the 1996 Act” means the Education Act 1996(1);

“the 1998 Act” means the School Standards and Framework Act 1998.

**Commencement of provisions**

2.—(1) The provisions of the 1998 Act specified in Schedule 1 to this Order shall come into force on 1st February 1999.

(2) The provisions of the 1998 Act specified in Schedule 2 to this Order shall come into force on 10th March 1999.

**Transitional provisions relating to section 129 of the 1998 Act**

3.—(1) In this article—

“the 1977 Regulations” means the Scholarships and Other Benefits Regulations 1977(2) (as they had effect immediately before 1st February 1999);

“the new section 18” means section 18 of the 1996 Act as substituted by section 128 of the 1998 Act(3);

“the new section 518” means section 518 of the 1996 Act as substituted by section 129 of the 1998 Act;

“the old section 518” means section 518 of the 1996 Act as originally enacted.

(2) Notwithstanding the coming into force of section 129 of the 1998 Act (payment of school expenses: grant of scholarships, etc.) which provides for the substitution of section 518 of the 1996 Act, the old section 518 shall continue to have effect to the extent necessary for the purposes of sub-paragraphs (3) and (4) below.

(3) Regulation 4(d) of the 1977 Regulations(4) shall continue to have effect until the date referred to in sub-paragraph (4) below; and the other provisions of those Regulations shall continue to have effect until revoked (with or without savings or transitional provisions) by regulations made under the new section 518.

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(1) 1996 c. 56.

(2) S.I.1977/1443; amended by S.I. 1979/260, 1979/542, 1989/1278 and 1998/86.

(3) As at the date that this Order is made no date has been appointed for the coming into force of section 128.

(4) Regulation 4(d) was substituted by S.I. 1998/86.

(4) Regulation 4(d) of the 1977 Regulations shall cease to have effect on the coming into force of section 128 of the 1998 Act, subject to such savings or transitional provisions as may be provided for in—

- (a) the order appointing the day for the coming into force of section 128, or
- (b) regulations made under the new section 18.

**Transitional provisions relating to section 137 of the 1998 Act**

4. The amendment of section 198 of, and Schedule 10 to, the Education Reform Act 1988 made by section 137 of, and Schedule 29 to, the 1998 Act (amendments relating to functions of Education Transfer Council) shall not have effect in relation to—

- (a) any transfer under section 126 or section 130 of the Education Reform Act 1988 in respect of which the Education Transfer Council have given a direction before 1st February 1999 under paragraph 62(1) of Schedule 8 to the Further and Higher Education Act 1992(5); or
- (b) any transfer under section 201 of the 1996 Act.

**Savings provisions relating to schools grouped under one governing body**

5.—(1) The repeal of section 90 of the 1996 Act is without prejudice to the continued effect of any modification made under subsection (5) of that section.

(2) The repeal of subsection (1) of section 92 of the 1996 Act is without prejudice to the continued application of subsection (3) of that section.

(3) The repeals of sections 90 and 95 of the 1996 Act are without prejudice to the termination of any grouping under section 89 of the 1996 Act, in accordance with section 95 of that Act, by reason of the discontinuance before 31st August 1999 of one or more schools in the group.

20th January 1999

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