
STATUTORY INSTRUMENTS

1999 No. 362

The Education (Transition to New Framework) (New Schools, Groups and Miscellaneous) Regulations 1999

PART V

ADDITIONAL GOVERNORS AT SCHOOLS CAUSING CONCERN

Additional governors continuing in office

57.—(1) This regulation applies to any person who is at midnight on 31st August 1999—

- (a) an additional governor, or an additional foundation governor, appointed under section 27 of the School Inspections Act 1996(1);
- (b) an additional governor, or an additional foundation governor, appointed under section 16 of the 1998 Act; or
- (c) an additional governor appointed by the Secretary of State under section 18 of the 1998 Act,

of a current or grouped school to which this Part applies.

(2) In this regulation, “current school” means a county, voluntary or maintained special school, other than a school falling within regulation 1(2) or (4).

(3) Any governor to whom this regulation applies shall continue in office from the appointed day, subject to any provisions applying in relation to disqualification or term of office.

(4) The instrument of government for the school shall have effect as if (despite anything in Part II of Schedule 9 to the 1998 Act) it provided for any governor who continues in office by virtue of this regulation to be a member of the governing body.

(5) Where—

- (a) in the case of a current school, the instrument of government is not made before the appointed day; or
- (b) in the case of a grouped school, the governing body are not constituted under the instrument of government before the appointed day;

the transitional governing body (within the meaning in the First Transitional Regulations), or the grouped transitional governing body, as the case may be, shall include any governor to whom this regulation applies.

(6) A governor referred to in paragraph (5) shall continue in office until the governing body are constituted under the instrument of government, even if the term for which he was originally appointed has expired, but shall continue as a member of the governing body constituted under the instrument of government if the term for which he was originally appointed has expired.

(7) Subject to paragraph (6), any governor to whom this regulation applies who was appointed to hold office for a fixed term shall hold office for the remainder of the term for which he was appointed, but for no longer than 4 years from the appointed day.

(8) Regulation 23 of the First Transitional Regulations shall be amended by the addition of the following words at the end:

“or treated as if provided for by such an instrument of government by virtue of regulation 57(4) of the Education (Transition to New Framework) (New Schools, Groups and Miscellaneous) Regulations 1999.”.

Additional governors at new or grouped GM schools ceasing to hold office

58.—(1) This regulation applies to any member of a GM governing body or a grouped governing body, who is at midnight on 31st August 1999, at a school to which this Part applies, an additional governor or an additional first, foundation or core governor appointed under any provision in an instrument of government (within the terms of the 1996 Act) required by:

- (a) section 230 of the 1996 Act; or
- (b) section 287 of the 1996 Act.

(2) Any governor to whom this regulation applies shall cease to hold office at midnight on 31st August 1999.

(3) Paragraph (2) shall not disqualify a person for election or appointment as a governor of the school in question from midnight on 31st August 1999.

Additional governors at other GM schools ceasing to hold office

59. Regulation 12(3) of the First Transitional Regulations shall be amended by the addition of “or” before sub-paragraph (b) and the omission of “or” before sub-paragraph (c) and of sub-paragraph (c).