

*This Statutory Instrument has been made in consequence of a defect in S.I. 2002/2439 and is being issued free of charge to all known recipients of that Statutory Instrument.*

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STATUTORY INSTRUMENTS

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**2003 No.606 (C.32)**

**EDUCATION, ENGLAND**

**The Education Act 2002 (Commencement No. 2 and Savings and Transitional Provisions) (Amendment) Order 2003**

*Made* - - - - 27<sup>th</sup> February 2003

*Coming into force* - - - - 6<sup>th</sup> March 2003

In exercise of the powers conferred on the Secretary of State by section 216 of the Education Act 2002 (a) the Secretary of State for Education and Skills hereby makes the following Order—

**Citation and Commencement**

1.—(1) This Order may be cited as the Education Act 2002 (Commencement No. 2 and Savings and Transitional Provisions) (Amendment) Order 2003 and shall come into force on 6<sup>th</sup> March 2003.

**Amendment of Commencement No. 2 Order**

2. For paragraph 4 of Part 2 of the Schedule to the Education Act 2002 (Commencement No. 2 and Savings and Transitional Provisions) Order 2002(b) there is substituted—

“4. Despite the coming into force of section 47(1) of, and paragraph 3 of Schedule 4 to, the 2002 Act—

- (a) the amendments to section 86 of the 1998 Act shall not have effect in relation to the admission of a child to a maintained school in any school year earlier than the 2004-05 school year; and
- (b) in relation to the admission of a child to a maintained primary school—
  - (i) the amendment made by paragraph 3(2) of Schedule 4, insofar as it provides that section 86(2) is not to be subject to section 86(6), and
  - (ii) the amendment made by paragraph 3(6) of that Schedule (which provides that section 86(6) shall cease to have effect),

shall also not have effect in relation to the 2004-05 school year, and

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(a) 2002 c.32  
(b) S.I. 2002/2439

- (c) in relation to the admission of a child to a maintained secondary school, where a scheme has not been adopted or made by virtue of sections 89B and 89C of the 1998 Act in relation to the school year 2004-05 –
- (i) the amendment made by paragraph 3(2) of Schedule 4, insofar as it provides that section 86(2) is not to be subject to section 86(6), and
  - (ii) the amendment made by paragraph 3(6) of that Schedule (which provides that section 86(6) shall cease to have effect),
- shall also not have effect in relation to the 2004-05 school year.”.

27<sup>th</sup> February 2003

*David Miliband*  
Minister of State  
Department for Education and Skills

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends the Education Act 2002 (Commencement No. 2 and Savings and Transitional Provisions) Order 2002, by saving some, but not all, of the amendments to section 86 of the School Standards and Framework Act 1998 in respect of one further year. These amendments relate to co-ordinated admissions schemes under section 86(6) of the School Standard and Framework Act 1998.

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