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STATUTORY INSTRUMENTS

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**2004 No. 447**

**EDUCATION, ENGLAND**

**The Schools Forums (England) (Amendment) Regulations 2004**

*Made* - - - - 23rd February 2004  
*Laid before Parliament* 27th February 2004  
*Coming into force* - - 1st April 2004

In exercise of the powers conferred upon the Secretary of State by section 47A of the School Standards and Framework Act 1998 (1) the Secretary of State for Education and Skills hereby makes the following Regulations:

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Schools Forums (England) (Amendment) Regulations 2004.

(2) These Regulations come into force on 1st April 2004.

(3) These Regulations apply only in relation to England.

**Amendments of the Schools Forums (England) Regulations 2002**

2.—(1) The Schools Forums (England) Regulations 2002(2) are amended as follows.

(2) In regulation 1, omit the definition of “schools maintained by the relevant authority”(3).

(3) In regulation 4(2), after sub-paragraph (c) insert the following sub-paragraphs—

“(d) subject to sub-paragraph (e), where the relevant authority maintain one or more nursery schools, they may instead of treating a nursery school as a primary school, ensure that at least one schools member shall be a representative of a nursery school;

(e) if by 1st September 2004 no new elections have been held pursuant to the addition of nursery schools, the authority shall ensure that at least one schools member shall be a representative of a nursery school.”.

(4) In regulation 4(3)(a), after the word “authority” insert the following words—

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(1) 1998 c. 31. Section 47A was inserted by section 43 of the Education Act 2002.

(2) S.I.2002/2114.

(3) The definition of schools maintained by the local education authority is thus to be interpreted in accordance with section 45(3)(a) (as amended by paragraph 99 of Schedule 21 to the Education Act 2002) and section 142(1) of the School Standards and Framework Act 1998, with the effect that the regulations as amended apply to maintained nursery schools.

“and (subject to regulation 4(2)(d)) includes a maintained nursery school.”

(5) In regulation 6, after paragraph (2) insert the following paragraphs—

“(3) Where there is one Academy situated in the relevant authority’s area, the governing body of that Academy may nominate an observer, who shall be entitled to attend all meetings of the forum.

(4) Where there are two or more Academies situated in the relevant authority’s area, the governing bodies of those Academies may jointly nominate one observer.

(5) If the governing bodies cannot agree the selection of the observer, they may each nominate an observer for one year in turn. The observer for the first year shall be from the first of the Academies to have opened and subsequent observers shall be from each Academy in chronological order of its opening. Where two or more Academies open on the same day, selection shall be in alphabetical order of the name of the Academy.”

23rd February 2004

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

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## **EXPLANATORY NOTE**

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

The Schools Forum (England) (Amendment) Regulations 2004 amend the Schools Forum (England) Regulations 2002 to provide for maintained nursery schools, and to allow observer status on the Forums to Academies.