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STATUTORY INSTRUMENTS

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**2007 No. 958**

**The School Governance (New Schools) (England) Regulations 2007**

**PART 6**

**General Conduct of New Schools**

**Conduct of the school before the school opening date**

**30.** Section 88 of EIA 2006<sup>(1)</sup> and sections 27, 28 and 90 of, and Schedule 1 to, EA 2002 applies in relation to a proposed school<sup>(2)</sup> with the following modifications—

- (a) references to governing body are treated as references to temporary governing body;
- (b) references to a maintained school are treated as including a reference to a proposed maintained school;
- (c) references to the instrument of government are treated as a reference to the instrument of government whether or not it has taken effect;
- (d) references to a community school, community special school, voluntary controlled school, maintained nursery school, foundation school, foundation special school or a voluntary aided school are treated as including a reference to a proposed community school, proposed community special school, proposed voluntary controlled school, proposed maintained nursery school, proposed foundation school, proposed foundation special school or a proposed voluntary aided school; and
- (e) section 88(3)(c) and (d) of EIA 2006 and paragraphs 2(2) and 2(3) of Schedule 1 to EA 2002 do not apply.

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<sup>(1)</sup> Section 88 of EIA 2006 comes into force 1<sup>st</sup> April 2007.

<sup>(2)</sup> Section 34(7) of EA 2002 provides that for the purposes of section 30(3) of that Act and sections 495 to 498 of EA 1996, the temporary governing body are to be treated as if they were the governing body at any time before the school opening date.