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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**

**Chair and vice chair of temporary governing body**

**35.**—(1) The members of the temporary governing body must, at their first meeting, elect a chair and vice-chair from among their number, subject to paragraph (6).

(2) The chair or vice-chair of a temporary governing body may at any time resign his office by giving notice in writing to the clerk to the temporary governing body.

(3) The chair or vice-chair of the temporary governing body cease to hold office as such if—

- (a) he ceases to be a member of the temporary governing body;
- (b) he is paid to work at the new school;
- (c) he is removed from office in accordance with regulation 37; or
- (d) in the case of a vice-chair, he is elected in pursuance of paragraph (4) to fill a vacancy in the office of chair.

(4) Where a vacancy arises in the office of chair or vice-chair, the temporary governing body must at their next meeting elect one of their members to fill that vacancy subject to paragraph (6).

(5) Where the chairman is absent from any meeting or there is at any time a vacancy in the office of the chair, the vice-chair must act as the chair for all purposes.

(6) Every member of the temporary governing body of a new school is eligible for election as chair or vice-chair of the temporary governing body or as a chair of a meeting except a member who is—

- (a) the head teacher or head teacher designate of the new school;
- (b) a person employed to work at the new school or, in the opinion of the other temporary governors, likely to be so employed; or
- (c) a pupil at the new school, or a person who, in the opinion of the other temporary governors, is likely to be such a pupil.