
STATUTORY INSTRUMENTS

2010 No. 1937

**The Academies Act 2010 (Commencement
and Transitional Provisions) Order 2010**

Transitional provisions

- 5.—(1) This article applies if—
- (a) an Academy order has effect in respect of a foundation or voluntary controlled school which is designated by order under section 69(3) of SSFA 1998 as a school having a religious character, and
 - (b) the school is converted into an Academy.
- (2) Despite section 6(8) of the Act, on and after the conversion date—
- (a) section 124A(2) and (3) of SSFA 1998 do not apply in relation to an existing non-reserved teacher while the teacher is employed or engaged as a teacher at the Academy,
 - (b) section 59(2) to (4) of SSFA 1998 continue to apply in relation to an existing non-reserved teacher, and an existing member of the non-teaching staff, while that person is employed or engaged at the Academy.
- (3) An “existing non-reserved teacher” is a teacher who—
- (a) is employed or engaged as a teacher at the school immediately before the conversion date,
 - (b) is not a reserved teacher (within the meaning given by section 58(9) of SSFA 1998) at that time, and
 - (c) becomes employed or engaged as a teacher at the Academy on the conversion date.
- (4) An “existing member of the non-teaching staff” is a person who—
- (a) is employed or engaged for the purposes of the school immediately before the conversion date, otherwise than as a teacher, and
 - (b) becomes employed or engaged for the purposes of the Academy on the conversion date.