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## EXPLANATORY NOTE

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

This Order brings section 57 of, and Schedule 5 to, the Education and Inspections Act 2006 into force for the purpose of making regulations on 15 March 2010 and then fully on 2 April 2010 (together with related repeals made by section 184 and Schedule 18).

Section 57 and Schedule 5 amend provisions of the School Standards and Framework Act 1998 (SSFA 1998) that deal with the financing of maintained schools. The effect of these amendments is as follows:

Section 47A of SSFA 1998 (school forums) is amended so as to refer to any function imposed on school forums by SSFA 1998 and to remove the provision allowing regulations to give the Welsh Ministers the power to remove a non-schools member of a forum;

Section 48 of, and Schedule 14 to, SSFA 1998 are amended so that a local education authority's duty to prepare a financial scheme is replaced by a duty to maintain a scheme and any proposals to vary the scheme must be submitted to the schools forum. Regulations will be able to make provision about approval by the schools forum or the Welsh Ministers;

Section 49 of SSFA 1998 is amended so that new schools will have delegated budgets from a date set in regulations;

Schedule 15 to SSFA 1998 is amended so as to remove a governing body's right to appeal to the Welsh Ministers against a suspension of their right to a delegated budget.

The Order also makes transitional provision to provide that the amendments made to sections 48 and 49 of, and Schedule 14 to, SSFA 1998 apply only in relation to financial years commencing on or after 1 April 2011.