

SCHEDULE 2

Article 4

PROVISIONS COMING INTO FORCE ON 1ST APRIL 1994

| <i>Provisions of the Act</i> | <i>Subject matter of provisions</i> |
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| Section 159. | Duty of local education authorities to review arrangements for special educational provision. |
| Section 161(1) to (4). | Duties of governing bodies etc. in relation to pupils with special educational needs. |
| Section 162. | Provision of goods and services in connection with special educational needs. |
| Section 163. | Special educational provision otherwise than in schools. |
| Section 166(4). | Power to make regulations in connection with the duty imposed on District Health Authorities and local authorities under that section. |
| Section 180(4). | Power to make regulations with respect to the proceedings of the Special Educational Needs Tribunal. |
| Section 182 (for all remaining purposes). | Special schools. |
| Section 183. | Establishment, etc. of maintained or grant-maintained special schools. |
| Section 184. | Procedure for dealing with proposals under section 183 of the Act. |
| Section 185. | Approval of premises of maintained or grant-maintained special schools. |
| Section 186(3). | Incorporation of the governing body of a school approved to become a grant-maintained special school. |
| Section 188. | Approval of special schools. |
| Section 189. | Approval of independent schools as suitable for the admission of children with statements of special educational needs. |
| Section 191. | Variation of trust deeds etc. by |
| Section 217(2). | Prohibition on a maintained special school becoming a grant-maintained special school. |
| Section 229 (for all remaining purposes). | Amendments to section 12 of the Education Act 1980 ⁽¹⁾ (establishment and alteration of county schools by local education authorities). |
| Section 230 (for all remaining purposes). | Amendments to section 13 of the Education Act 1980 (establishment and alteration of county schools by local education authorities). |

(1) 1980 c. 20.

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| <i>Provisions of the Act</i> | <i>Subject matter of provisions</i> |
|------------------------------|--|
| Section 231. | Nursery education in grant-maintained schools. |
| Section 232. | Power of Secretary of State to direct that proposals be brought forward to remedy excessive provision in schools. |
| Section 233. | Power of Secretary of State to direct that proposals be brought forward for additional provision in maintained schools. |
| Section 234. | Publication of proposals by the Secretary of State. |
| Section 235. | Public inquiry into proposals. |
| Section 236. | Adoption of proposals by the Secretary of State and approval of related proposals. |
| Section 237. | Provisions supplementary to sections 232 to 236 of the Act. |
| Section 253. | Change of name of the Curriculum Council for Wales. |
| Section 254. | Duty to reconvene conference on agreed syllabus of religious education. |
| Section 255. | Duty of local education authorities to constitute a new standing advisory council on religious education. |
| Section 256. | Reconsideration of agreed syllabus. |
| Section 257. | Power of Secretary of State to direct standing advisory councils on religious education to revoke a determination or discharge a duty. |
| Section 258. | Access to documents and meetings of standing advisory councils on religious education and conferences on agreed syllabus of religious education. |
| Section 272. | Power of governing bodies of county schools to propose change of character etc. |
| Section 273. | Power to make and deal with proposals in the case of schools eligible for grant-maintained status. |
| Section 278(6). | Grants for teacher training etc. |
| Section 289. | Teachers' pay and conditions: special provisions for teachers on transfer of employment to maintained and grant-maintained schools. |
| Section 295. | Provision by local education authorities of goods and services to grant-maintained and grant-maintained special schools. |

| <i>Provisions of the Act</i> | <i>Subject matter of provisions</i> |
|---|--|
| Section 296. | Abolition of requirement to establish education committees. |
| Section 297. | Power of Secretary of State to direct appointment of members of committees of local authorities. |
| Section 304. | Meaning of “school” in the Education Acts. |
| Schedule 1. | Supplementary provisions relating to the funding authorities established under Part I of the Act. |
| Schedule 2. | Distribution of functions where an order is made under section 12 of the Act. |
| Part II of Schedule 3. | Proposals for the establishment of new grant-maintained schools. |
| Schedule 8. | Core governors for groups of grant-maintained schools. |
| Paragraph 3 of Schedule 9, and section 167(5) so far as it relates thereto. | Power to make regulations as to the manner and timing of assessments under section 167 of the Act. |
| Paragraphs 5(3), 7 and 8(5) of Schedule 10, and section 168(7) so far as it relates thereto. | Power to make regulations relating statements under section 168 of the Act. |
| Schedule 11 (for all remaining purposes). | Government and conduct of grant-maintained special schools. |
| Schedule 15. | Amendments consequential on section 253 of the Act. |
| Paragraphs 6, 9, 12, 13, 18, 19, 20(b), 21, 23(b), 26, 27, 34 (for all remaining purposes), 38, 46, 47, 48, 49, 50, 51, 52, 55(a), 57, 59, 61, 62, 64, 65, 66, 70, 73, 76, 77(b), 79, 81, 82 (for the purpose of omitting sections 2(4) to (7), 3, 11(2) and (3), 12, 13 and 14 of, and paragraphs 1(3) and 4 of Schedule 1 and paragraphs 1, 2, 10 and 13 of Schedule 3 to, the Education Act 1981(2)), 85, 86, 87(b), 89, 90 (for all remaining purposes), 91, 92, 93, 94, 99, 100, 101(b), 102, 105, 106, 108, 109(b)(ii), (c) and (d), 110, 111, 113(a), 114, 115, 116, 117, 125(b), 126 (for all remaining purposes), 127, 128, 129, 130 (for all remaining purposes), 136, 137 (for all remaining purposes) 138 (for all remaining purposes), 140, 142, 145 (for the purpose of omitting paragraphs 26 and 33 of Schedule 12 to the Education Reform Act 1988(3)), 156, 157, 158, 159, 161, 163(b), | Minor and consequential amendments. |

(2) 1981 c. 61.

(3) 1988 c. 40.

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| <i>Provisions of the Act</i> | <i>Subject matter of provisions</i> |
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| 167(a), 168, 169, 171, 172 and 173(1)(a) of Schedule 19, and section 307(1) so far as it relates thereto. | |
| Paragraphs 2 and 4 of Schedule 20, and section 307(2) so far as it relates thereto. | Transitional provisions and savings. |
| Schedule 21, in so far as it relates to the repeals set out in the Appendix to this Schedule, and section 307(3) so far as it relates thereto. | Repeals. |

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Appendix to Schedule 2

REPEALS TAKING EFFECT FROM 1ST APRIL 1994

| <i>Chapter</i> | <i>Short title</i> | <i>Extent of repeal</i> |
|----------------|--------------------------------|---|
| 1944 c. 31. | The Education Act 1944. | Section 9(5). In section 50(1), “by them”. In paragraph (a) of the proviso to section 52(1), “by the authority”. Parts I and II of the First Schedule. In paragraph 13(4) of the Fifth Schedule, “either”. |
| 1972 c. 70. | The Local Government Act 1972. | Section 101(9)(a). |
| 1973 c. 16. | The Education Act 1973. | Section 1(2)(b). |
| 1980 c. 20. | The Education Act 1980. | In section 12(3), “voluntary”. In section 13(1), “after consultation with the authority”. In section 13(3), “voluntary”. Section 14(4). In paragraph 1 of Schedule 2, in sub-paragraph (3) “or of any education committee of the authority” in each place where it occurs, and in sub-paragraph (4) “or of any education committee of the authority” in each place in which it occurs and “by more than one”. |
| 1981 c. 60. | The Education Act 1981. | In Schedule 3, paragraphs 4 and 13. Sections 2(4) to (7), 3, 11(2) and (3), 12, 13 and 14. In Schedule 1, paragraphs 1(3) and 4 and, in Schedule 3, paragraphs 1, 2, 10 and 13. |

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| <i>Chapter</i> | <i>Short title</i> | <i>Extent of repeal</i> |
|----------------|--------------------------------|--|
| 1986 c. 61. | The Education (No.2) Act 1986. | <p>In section 5(4)(b), the words after “by the authority”.</p> <p>In section 9(5), the “or” at the end of paragraph (a)(ii), and paragraph (b).</p> <p>In section 11, the “or” at the end of subsection (2)(a)(ii), subsection (2)(b), “or (b)” in subsection (2)(c) and subsection (7).</p> <p>Section 12(3).</p> <p>In section 13(2), “or (b)”.</p> <p>In section 38, in subsection (4)(c) the words after “to the post” and, in subsection (6)(b), “or (4)(c)(ii)”.</p> <p>In section 50, in subsection (3)(c) the words “local education authorities, and other”, and subsection (4).</p> <p>Section 54(12)(f).</p> <p>In section 65(1), the definition of “the 1981 Act”.</p> <p>In Schedule 2, paragraph 2(2)(b), in paragraph 5(2)(b) the words after “proposal”, and in paragraph 7(7) the words after “by the authority”.</p> |
| 1988 c. 9. | The Local Government Act 1988. | <p>Section 1(1)(j).</p> <p>In Schedule 2, the words from “A joint education committee” to “1944”.</p> |
| 1988 c. 40. | The Education Reform Act 1988. | <p>Sections 52(1) and (2), 57, 73 and 79 to 101.</p> <p>In section 104, paragraphs (c), (d), (e), (i) and (j) of subsection (1), subsection (3) (other than the definition of</p> |

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|----------------|---|--|
| | | “incorporation date”), and subsection (4). |
| | | In section 111, subsection (4) and, in subsection (5)(b), the words “provided under arrangements made by the authority”. |
| | | In section 119(2), “89 or 92”. |
| | | In section 230, in subsection (1) “section 95(4)” and “section 96(2)”, subsections (2), (3) and (4)(b). |
| | | In section 232(2), “53(2)” and “91, 94”. |
| | | In Schedule 1, paragraph 9. |
| | | In Schedule 2, paragraph 9 and in paragraph 10(5) the words from “and accordingly” to the end. |
| | | In Schedule 12, paragraphs 26 and 33. |
| 1989 c. 42. | The Local Government and Housing Act 1989. In section 13, subsections (2)(b) and (6). | In paragraph 4 of Schedule 1, in sub-paragraph (1) the definition of “education committee” and, in paragraph (a) of the definition of “ordinary committee”, “education committee, their” and in sub-paragraph (2), in paragraph (a) of the definition of “ordinary committee”, “education committee or”. |
| | | In Schedule 11, paragraphs 4 and 98. |
| 1990 c. 11. | The Planning (Consequential Provisions) Act 1990. | In Schedule 2, paragraph 78. |
| 1992 c. 13. | The Further and Higher Education Act 1992. | Section 13. Section 59(5). |
| | | In Schedule 8, paragraphs 18 and 29. |

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|----------------|--|-------------------------------|
| 1992 c. 14. | The Local Government Finance Act 1992. | In Schedule 13, paragraph 58. |