

Changes to legislation: School Standards and Framework Act 1998, Cross Heading: Discontinuance of foundation or voluntary school by notice given by its governing body: land and premises is up to date with all changes known to be in force on or before 18 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 22

DISPOSALS OF LAND IN CASE OF CERTAIN SCHOOLS AND DISPOSALS ON DISCONTINUANCE

Modifications etc. (not altering text)

- C1** Sch. 22 excluded (29.7.2010) by Academies Act 2010 (c. 32), s. 19(2), Sch. 1 para. 10(2)(c); S.I. 2010/1937, art. 2, Sch. 1

PART II

MAINTAINED SCHOOLS: DISPOSALS ON DISCONTINUANCE

Discontinuance of foundation or voluntary school by notice given by its governing body: land and premises

- 6 (1) This paragraph applies where the governing body of a foundation or voluntary school apply for the [^{F1}appropriate authority's] consent to serve a notice under section 30(1) [^{F2}or section 80 of the School Standards and Organisation (Wales) Act 2013].
- (2) If the [^{F3}appropriate authority] gives such consent, [^{F4}the appropriate authority] may impose any requirements in relation to the governing body or, where the school is a member of the group for which a foundation body acts, the foundation body that [^{F4}the appropriate authority] thinks just—
- in respect of the repayment of all or part of any expenditure incurred by [^{F5}the appropriate authority] as mentioned in section 30(2) [^{F6}or section 80(2) of the School Standards and Organisation (Wales) Act 2013];
 - in respect of the transfer to the [^{F7}local authority] of any premises used for the purposes of the school which [^{F4}the appropriate authority] is satisfied [^{F8}the [^{F7}local authority]] will need for any purpose connected with education;
 - (where any premises are to be so transferred) in respect of the payment by [^{F8}the [^{F7}local authority]] of so much of the value of those premises as is just having regard to the extent to which the premises were provided otherwise than at public expense;
 - (where any premises used for the purposes of the school are not to be so transferred) in respect of the payment by the governing body or the foundation body, as the case may be, to [^{F8}the [^{F7}local authority]] of so much of the value of those premises as is just having regard to the extent to which they were provided at public expense.
- (3) In sub-paragraph (2) “at public expense” means at the expense of—
- the Funding Agency for Schools, or

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(b) any [^{F7}local authority] or an authority within section 30(2)(d).

[^{F9}(3A) Where the school is in England and the trustees of the school—

- (a) dispose of any land falling within paragraph A13(1), (2) or (3), or
- (b) wish to use any such land for purposes not connected with the provision of education in maintained schools,

paragraph A13 shall apply to them.]

(4) Where [^{F10}the school is in Wales and] the trustees of the school—

- (a) dispose of any land falling within paragraph 3(1) or (2), or
- (b) wish to use any such land for purposes not connected with the provision of education in maintained schools,

paragraph 3 shall apply to them.

Textual Amendments

- F1** Words in Sch. 22 para. 6(1) substituted (25.5.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 4 para. 10(2)**; S.I. 2007/935, art. 7(p)
- F2** Words in Sch. 22 para. 6(1) inserted (W.) (1.10.2013) by School Standards and Organisation (Wales) Act 2013 (anaw 1), s. 100(4), **Sch. 5 para. 19(14)(g)(i)**; S.I. 2013/1800, art. 3(j)
- F3** Words in Sch. 22 para. 6(2) substituted (25.5.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 4 para. 10(3)(a)**; S.I. 2007/935, art. 7(p)
- F4** Word in Sch. 22 para. 6(2) substituted (25.5.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 4 para. 10(3)(b)**; S.I. 2007/935, art. 7(p)
- F5** Words in Sch. 22 para. 6(2) substituted (25.5.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 4 para. 10(3)(d)**; S.I. 2007/935, art. 7(p)
- F6** Words in Sch. 22 para. 6(2)(a) inserted (W.) (1.10.2013) by School Standards and Organisation (Wales) Act 2013 (anaw 1), s. 100(4), **Sch. 5 para. 19(14)(g)(ii)**; S.I. 2013/1800, art. 3(j)
- F7** Words in Act substituted (5.5.2010) by The Local Education Authorities and Children's Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158), art. 1, **Sch. 2 para. 10(2)** (with Sch. 2 para. 10(4))
- F8** Words in Sch. 22 para. 6(2) substituted (25.5.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 4 para. 10(3)(c)**; S.I. 2007/935, art. 7(p)
- F9** Sch. 22 para. 6(3A) inserted (25.5.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 4 para. 10(4)**; S.I. 2007/935, art. 7(p)
- F10** Words in Sch. 22 para. 6(4) inserted (25.5.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 4 para. 10(5)**; S.I. 2007/935, art. 7(p)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 14(3)(aa) inserted by [2011 nawm 7 s. 16\(2\)](#) (Amendment not applied to legislation.gov.uk - s.16(02) of 2011 nawm007 omitted by 2013 nawm001 s. 100(4), Sch. 5 para. 13(2); S.I. 2014/178, art. 2(f) (with art. 3) prior to commencement)
- s. 18B inserted by [2011 nawm 7 s. 16\(3\)](#) (Amendment not applied to legislation.gov.uk - s.16(02) of 2011 nawm007 omitted by 2013 nawm001 s. 100(4), Sch. 5 para. 13(2); S.I. 2014/178, art. 2(f) (with art. 3) prior to commencement)
- Sch. 22 para. 5(1B) inserted by [2023 c. 55 s. 235\(4\)](#)