

SCHEDULE 2

TRANSITIONAL PROVISIONS

PART I

TRANSITIONAL PROVISIONS CONSEQUENTIAL ON THE COMMENCEMENT OF PROVISIONS OF CHAPTERS I, II AND III OF PART II

3.—(1) This paragraph applies in relation to any school the governing body of which have before 1st January 1994 passed a resolution in accordance with section 60(1)(a) of the 1988 Act to hold a ballot of parents on the question of whether grant-maintained status should be sought for the school, but have not by that date confirmed their decision by passing a second resolution in accordance with that section.

(2) In relation to any such school for the period specified in sub-paragraph (3) below—

- (a) section 25 of the Act shall not apply;
- (b) section 27 of the Act shall have effect with the reference to section 25 of the Act being construed as a reference to section 60 of the 1988 Act;
- (c) the repeal of section 60(1)(a), (3), (4) and (5) of the 1988 Act shall not have effect;
- (d) any references to section 61 of the 1988 Act in section 60(1)(a) and (4) of that Act shall have effect as if they were references to section 28 of the Act; and
- (e) the amendments made by paragraphs 163(a) and (c) and 164(b) of Schedule 19 to the Act to sections 3 and 5 of the Diocesan Boards of Education Measure 1991 shall not have effect.

(3) Sub-paragraph (2) above shall have effect for the period beginning on 1st January 1994 and ending on—

- (a) where the period of forty two days, after that on which the first resolution was passed, has expired and the decision to hold a ballot has not been confirmed by a second resolution passed in accordance with section 60(1)(a) of the 1988 Act, the date of the expiry of that period; or
- (b) in any other case, the date on which a ballot is held in pursuance of the duty imposed on the governing body of the school by section 60(1)(a) and (4) of the 1988 Act (as it has effect by virtue of sub-paragraph (2)(c) above).