

## SCHEDULE 5

### MINOR AND CONSEQUENTIAL AMENDMENTS

#### PART 2

#### AMENDMENTS RELATING TO PART 3 (SCHOOL ORGANISATION)

##### *School Standards and Framework Act 1998*

- 19 (1) The School Standards and Framework Act 1998 is amended as follows.
- (2) In section 20(2A)(b) (new categories of maintained schools) after “this Act” insert “or sections 45 to 55 of, and Schedule 4 to, the School Standards and Organisation (Wales) Act 2013”.
- (3) In section 21(6) (kinds of foundation and voluntary schools and types of foundations)—
- (a) in paragraph (a)—
    - (i) omit “in accordance with Schedule 8 or”, and
    - (ii) after “Act 2006” insert “or in accordance with proposals made under section 45 of the School Standards and Organisation (Wales) Act 2013”;
  - (b) in paragraph (f)—
    - (i) in sub-paragraph (i), omit “under paragraph 2 of Schedule 8 or” and after “Act 2006” insert “or under section 48 of the School Standards and Organisation (Wales) Act 2013”,
    - (ii) in sub-paragraph (ii), for “that paragraph or that section” substitute “either of those sections”,
    - (iii) omit sub-paragraph (iii).
- (4) Omit sections 28 and 29 (proposals for establishment, alteration and discontinuance of mainstream schools).
- (5) In section 30 (notice by governing body to discontinue foundation or voluntary school)—
- (a) in subsection (1) after “voluntary school” insert “in England”;
  - (b) in subsection (3) omit paragraph (b);
  - (c) in subsection (9) omit paragraph (a);
  - (d) in the heading after “voluntary school” insert “in England”.
- (6) Omit sections 31 to 35 (provisions relating to special schools, rationalisation of school places and change of category of schools).
- (7) In section 49(6) (maintained schools to have delegated budgets)—
- (a) omit “paragraph 14(2) of Schedule 6, paragraph 3(3) of Schedule 7A to the Learning and Skills Act 2000”,
  - (b) after “2002” insert “section 75(2)(b) of, or paragraph 4 of Schedule 3 to, the School Standards and Organisation (Wales) Act 2013”.

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- (8) In section 82(1) (modification of trust deeds) for “or the Academies Act 2010” substitute “, the Academies Act 2010 or the School Standards and Organisation (Wales) Act 2013”.
- (9) Omit section 101(3) (permitted selection: pupil banding).
- (10) In section 103(2)(b) (permitted selection: introduction, variation or abandonment of provision for such selection) for “prescribed alteration for the purposes of section 28” substitute “regulated alteration within the meaning of Chapter 2 of Part 3 of the School Standards and Organisation (Wales) Act 2013”.
- (11) In section 143 (index)—
- (a) omit the entry beginning “alteration”;
  - (b) omit the entry beginning “area”;
  - (c) omit the entry beginning “discontinuing”;
  - (d) omit the entry beginning “promoters”;
  - (e) omit the entry beginning “school opening date”.
- (12) In Schedule 3 (funding of foundation, voluntary and foundation special schools)—
- (a) in paragraph 2(2)(a)(ii), for the words from “or promoters” to “proposals” substitute “or the person by whom proposals were made is required to provide by virtue of Part 2 of Schedule 3 to the School Standards and Organisation (Wales) Act 2013 (provision of premises and other assistance)”;
  - (b) in paragraph 7—
    - (i) in sub-paragraph (3)(a) after “28,” insert—
      - “(ia) the implementation of proposals made under section 42 of the School Standards and Organisation (Wales) Act 2013 to make a regulated alteration to a school.”;
    - (ii) in sub-paragraph (5) for “to the promoters” substitute—
      - (a) in relation to England, to the promoters, and
      - (b) in relation to Wales, to the person who made the proposals under section 41(2) of the School Standards and Organisation (Wales) Act 2013”.
- (13) Omit Schedules 6 to 8 (provisions about procedure and implementation of statutory proposals, rationalisation of school places and changes of category of schools).
- (14) In Schedule 22 (disposals of land)—
- (a) in paragraph 1,—
    - (i) in sub-paragraph (1) for “, voluntary or foundation special” substitute “or voluntary”;
    - (ii) after sub-paragraph (1)(a) insert—
      - “(aa) any land acquired under paragraph 7 of Schedule 3 to the School Standards and Organisation (Wales) Act 2013, under that paragraph as applied by section 76(1) of that Act or under Part 3 of Schedule 4 to that Act.”;
  - (b) in paragraph 2, after sub-paragraph (1)(a) insert—

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- “(aa) any land acquired under paragraph 7 or 11 of Schedule 3 to the School Standards and Organisation (Wales) Act 2013, under either of those paragraphs as applied by section 76(1) or (3) of that Act or under Part 3 of Schedule 4 to that Act;”;
- (c) in paragraph 2A—
  - (i) in sub-paragraph (1) omit “or foundation special”;
  - (ii) after sub-paragraph (1)(a) insert—
    - “(aa) any land acquired under paragraph 7 of Schedule 3 to the School Standards and Organisation (Wales) Act 2013, under that paragraph as applied by section 76(1) of that Act or under Part 3 of Schedule 4 to that Act;”;
  - (iii) in sub-paragraph (1)(b) after “(a)” insert “or (aa)”;
  - (iv) in sub-paragraph (1)(c) omit “or foundation special”;
  - (v) in sub-paragraph (2)(a)(ii) after “(a)” insert “or (aa)”;
  - (vi) in sub-paragraph (2)(b) after “(a)” insert “or (aa)”;
  - (vii) in sub-paragraph (6) omit “or foundation special”;
  - (viii) in the heading omit “or foundation special school”;
- (d) in paragraph 3—
  - (i) in sub-paragraph (1) for “, voluntary or foundation special” substitute “or voluntary”;
  - (ii) after sub-paragraph (1)(a) insert—
    - “(aa) any land acquired under paragraph 7 or 11 of Schedule 3 to the School Standards and Organisation (Wales) Act 2013, under those paragraphs as applied by section 76(1) or (3) of that Act or under Part 3 of Schedule 4 to that Act;”;
  - (iii) in sub-paragraph (3) after “(a),” insert “(aa),”;
  - (iv) in sub-paragraph (4)(c)(ii) after “this Act” insert “or under paragraph 7(6) of Schedule 3 to the School Standards and Organisation (Wales) Act 2013”;
  - (v) in sub-paragraph (8)(b)(i) for “, voluntary or foundation special” substitute “or voluntary”;
  - (vi) in sub-paragraph (8)(b)(ii) for “foundation, voluntary or foundation special” substitute “voluntary”;
  - (vii) in sub-paragraph (12) for “, voluntary or foundation special” substitute “or voluntary”;
  - (viii) in the heading for “, voluntary or foundation special” substitute “or voluntary”;
- (e) in paragraph 4(1)(a)(i) for “, voluntary or foundation special” substitute “or voluntary”;
- (f) in paragraph 5—
  - (i) in sub-paragraph (1)(b)(i) for “, voluntary or foundation special” substitute “or voluntary”;
  - (ii) omit sub-paragraph (1)(b)(ii);
  - (iii) in sub-paragraph (4)(c) after “alteration” insert “or regulated alteration”;

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- (iv) in sub-paragraph (4A) omit “or foundation special” and after “(a),” insert “(aa),”;
- (v) in sub-paragraph (4B)(b)(ii) omit “or foundation special”;
- (vi) in sub-paragraph (4B)(d) after “alteration” insert “or regulated alteration”;
- (vii) in sub-paragraph (6)(a) after “2A(1)(a),” insert “(aa),”;
- (g) in paragraph 6—
  - (i) in sub-paragraph (1) after “section 30(1)” insert “or section 80 of the School Standards and Organisation (Wales) Act 2013”;
  - (ii) in sub-paragraph (2)(a) after “section 30(2)” insert “or section 80(2) of the School Standards and Organisation (Wales) Act 2013”;
- (h) in paragraph 8—
  - (i) in sub-paragraph (1) after “section 30(10)” insert “or section 80(11) of the School Standards and Organisation (Wales) Act 2013”;
  - (ii) in sub-paragraph (2) after “section 30(2)(a) to (d)” insert “or section 80(2) of the School Standards and Organisation (Wales) Act 2013”;
- (i) in paragraph 10 after sub-paragraph (1)(e) insert—
  - “(f) “regulated alteration” has the same meaning as in Chapter 2 of Part 3 of the School Standards and Organisation (Wales) Act 2013.”