

SCHEDULES

SCHEDULE 37

CONSEQUENTIAL AMENDMENTS

PART I

AMENDMENTS COMING INTO FORCE ON 1ST NOVEMBER 1996

Diocesan Boards of Education Measure 1991 (1991 No. 2)

- 102 (1) Section 3 of the Diocesan Boards of Education Measure 1991 (transactions for which advice or consent of Diocesan Board required)—
- (a) shall continue to have effect with the amendment set out in sub-paragraph (2) (originally made by Schedule 19 to the Education Act 1993); and
 - (b) shall be amended as provided in sub-paragraph (3).
- (2) In subsection (4) for the words from “by a resolution” to the end there is substituted “to hold a meeting to consider whether to hold a ballot of parents on the question of whether grant-maintained status should be sought for the school, it shall—
- (a) give to the secretary of the Board for the diocese in which the school is situated at least seven days' notice that such a meeting is to be held at such time and place as is specified in the notice, and
 - (b) have regard to any relevant advice given by the Board, when considering at the meeting whether to hold a ballot of parents on that question,
- and in paragraph (b) above “relevant advice” means advice given in connection with the acquisition of grant-maintained status for the school whether given for the purposes of that school or for Church of England voluntary schools generally”.
- (3) In subsection (5) for “section 96 of the Education Act 1993” there is substituted “section 259 of the Education Act 1996”.
- 103 (1) Section 5 of that Measure (proposals for acquisition of grant-maintained status)—
- (a) shall be amended as provided in sub-paragraph (2); and
 - (b) shall continue to have effect with the amendment set out in sub-paragraph (3) (originally made by Schedule 19 to the Education Act 1993).
- (2) For “paragraph 2 of Schedule 3 to the Education Act 1993” there is substituted “paragraph 2 of Schedule 20 to the Education Act 1996”.
- (3) For “the advice given by the Board under section 3(4) above” there is substituted “any relevant advice (defined in section 3(4) above) given by the Board”.
- 104 (1) Section 6 of that Measure (Board to be consulted in certain cases) shall be amended as follows.

Status: This is the original version (as it was originally enacted).

- (2) In subsection (1)—
- (a) for “section 13(1) of the 1988 Act” there is substituted “section 392(2) of the Education Act 1996”; and
 - (b) for “section 11” there is substituted “section 390”.
- (3) In subsection (2), for “section 136 of the Education Act 1993” there is substituted “section 302 of the Education Act 1996”.
- 105 In section 7(3) of that Measure (powers of Board to give directions to governing bodies of aided church schools)—
- (a) for “section 15(4) of the Education Act 1944” there is substituted “section 57(1) of the Education Act 1996”;
 - (b) for “section 13(1)(b) of the Education Act 1980” there is substituted “section 41(2) of that Act”; and
 - (c) for “the Education Acts 1944 to 1993” there is substituted “that Act”.
- 106 In section 9 of that Measure (attendance of diocesan director of education at governing bodies' proceedings) for “section 45(6) of the 1988 Act” there is substituted “section 138(2) of the Education Act 1996”.
- 107 In section 10 (interpretation)—
- (a) in subsection (1) the definition of “the 1988 Act” is omitted;
 - (b) for the definition of “church school” in that subsection there is substituted—
 - ““church school” means—
 - (a) a Church of England voluntary school,
 - (b) a grant-maintained school which was such a voluntary school immediately before it became grant-maintained,
 - (c) a grant-maintained school established in pursuance of proposals published under section 212 of the Education Act 1996 where either any trust deed relating to the school or the statement required by paragraph 8 of Schedule 20 to that Act provides for religious education at the school to accord with the faith and practice of the Church of England, or
 - (d) a grant-maintained school in respect of which proposals for the required provision for religious education to be provision for religious education in accordance with the faith and practice of the Church of England are approved under section 261 of that Act”; and
 - (c) in subsection (3)—
 - (i) for “the 1988 Act or the Education Act 1993” there is substituted “the Education Act 1996”, and
 - (ii) for “those Acts” there is substituted “that Act”.