



School Standards and Framework Act 1998

1998 CHAPTER 31

PART III

SCHOOL ADMISSIONS

CHAPTER II

SELECTION OF PUPILS

Grammar schools

109 Proposals by governing body of grammar school to end selective admission arrangements.

- (1) This section has effect for enabling the admission arrangements of a grammar school to be revised (otherwise than in circumstances where section 108(2) applies) so that the school no longer has selective admission arrangements and its admission arrangements instead either—
 - (a) make no provision for selection by ability, or
 - (b) make provision for one or more of the following, namely—
 - (i) any selection by ability authorised by section 101,
 - (ii) any selection by aptitude authorised by section 102, and
 - (iii) any selection by ability such as is mentioned in section 99(2)(c).
- (2) Any such revision of the admission arrangements of a grammar school shall be one of the alterations to a maintained school which are prescribed [^{F1}under section 18 of the 2006 Act]; but any proposals for any such revision of the admission arrangements of a grammar school which is a community school shall be published under [^{F2}section 19 of the 2006 Act] by the governing body and not by the local education authority.

Status: Point in time view as at 19/07/2007. This version of this provision has been superseded.

Changes to legislation: School Standards and Framework Act 1998, Section 109 is up to date with all changes known to be in force on or before 14 July 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)

- (3) Regulations may provide—
- (a) that, in their application to any proposals for any such revision of the admission arrangements of a grammar school, any provision of [^{F3}sections 19 to 24 of the 2006 Act or regulations under those sections] shall have effect with such modifications as may be prescribed;
 - (b) that, in any prescribed circumstances following the making of a request for a ballot to be held under section 105, any such proposals under [^{F4}section 19 of the 2006 Act] shall be of no effect.
- (4) Regulations made under section 105 may make provision, in relation to cases where any such proposals under [^{F5}section 19 of the 2006 Act] have fallen to be implemented under [^{F6}regulations under section 24 of that Act], for requiring the school to which the proposals relate to be disregarded for the purposes of any regulations made under section 105(2).
- (5) Where the Secretary of State is satisfied that, by reason of the implementation of any such proposals, a grammar school no longer has selective admission arrangements, he shall revoke the order made by him with respect to the school under section 104.

[^{F7}(6) In this section “the 2006 Act” means the Education and Inspections Act 2006.]

Textual Amendments

- F1** Words in s. 109(2) substituted (25.5.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 3 para. 29(2)(a)**; S.I. 2007/935, art. 7(o)
- F2** Words in s. 109(2) substituted (25.5.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 3 para. 29(2)(b)**; S.I. 2007/935, art. 7(o)
- F3** Words in s. 109(3)(a) substituted (25.5.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 3 para. 29(3)(a)**; S.I. 2007/935, art. 7(o)
- F4** Words in s. 109(3)(b) substituted (25.5.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 3 para. 29(3)(b)**; S.I. 2007/935, art. 7(o)
- F5** Words in s. 109(4) substituted (25.5.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 3 para. 29(4)(a)**; S.I. 2007/935, art. 7(o)
- F6** Words in s. 109(4) substituted (25.5.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 3 para. 29(4)(b)**; S.I. 2007/935, art. 7(o)
- F7** S. 109(6) inserted (25.5.2007) by Education and Inspections Act 2006 (c. 40), s. 188(3), **Sch. 3 para. 29(5)**; S.I. 2007/935, art. 7(o)

Commencement Information

- I1** S. 109 wholly in force at 1.9.1999; s. 109 not in force at Royal Assent see s. 145(3); s. 109(3)(4) in force at 1.2.1999 by S.I. 1998/3198, art. 2(2), **Sch.**; s. 109 in force at 1.9.1999 in so far as not already in force by S.I. 1999/2323, art. 2(1), **Sch. 1** (with arts. 3-5, Schs. 5-7).

Status:

Point in time view as at 19/07/2007. This version of this provision has been superseded.

Changes to legislation:

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