

*Status: Point in time view as at 14/03/2012.*

*Changes to legislation: Education and Inspections Act 2006, Part 2 is up to date with all changes known to be in force on or before 23 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)*

## SCHEDULES

### SCHEDULE 4

#### DISPOSALS AND CHANGES OF USE OF LAND

#### PART 2

##### AMENDMENTS TO SECTION 77 OF SSFA 1998

- 18 (1) Section 77 of SSFA 1998 (control of disposals or changes of use of school playing fields in relation to England) is amended as follows.
- (2) In subsection (1)—
- (a) for “Except” substitute “ Subject to subsections (2A) and (2B), except ”, and
  - (b) after “a body” insert “ or trustees ”.
- (3) For subsection (2) substitute—
- “(2) Subsection (1) applies to—
- (a) a local authority;
  - (b) the governing body of a maintained school;
  - (c) a foundation body;
  - (d) the trustees of a foundation, voluntary or foundation special school.”
- (4) After subsection (2) insert—
- “(2A) Subsection (1) applies in the case of a disposal by the trustees of a foundation, voluntary or foundation special school, only if the disposal is of land falling within paragraph A13(1), (2) or (3) of Schedule 22.
- (2B) Subsection (1) does not apply—
- (a) to a disposal in pursuance of a transfer order under paragraph A23 of that Schedule, or
  - (b) to a disposal to which paragraph 5 or 6 of Schedule 22 (disposals on discontinuance) applies.”
- (5) In subsection (3)—
- (a) for “Except” substitute “ Subject to subsections (4) and (4A), except ”,
  - (b) for “a local authority” substitute “ a body or trustees to whom subsection (1) applies ”, and
  - (c) for “falling within subsection (1)” substitute “ which falls within subsection (1) or is excluded from that subsection by subsection (2B)(a) or (b) ”.
- (6) In subsection (4) omit “by a local authority”.
- (7) After subsection (4) insert—

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“(4A) Subsection (3) applies in relation to the trustees of a foundation, voluntary or foundation special school only if the playing fields in question are land falling within paragraph A13(1), (2) or (3) of Schedule 22.”

(8) In subsection (7), at the appropriate place, insert—

““maintained school” includes a maintained nursery school;”.

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**Commencement Information**

**II** Sch. 4 para. 18 in force at 25.5.2007 by S.I. 2007/935, art. 7(p)

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