



Academies Act 2010

2010 CHAPTER 32

General

16 Pre-commencement applications etc **E+W**

- (1) Subsection (2) applies if, before the commencement date, the governing body of a maintained school in England make an application to the Secretary of State which, if it had been made on or after that date, would have been an application under section 3.
- (2) The application is to be treated as an application under that section.
- (3) Subsection (4) applies if, before the commencement date—
 - (a) steps are taken by the governing body of a foundation or voluntary school that has a foundation, and
 - (b) if section 3 had been in force, those steps would have satisfied the requirement of section 3(3) (consultation of foundation).
- (4) The steps are to be treated as satisfying that requirement.
- (5) Subsection (6) applies if, before the commencement date—
 - (a) consent to an application by a governing body is given, and
 - (b) if section 3 had been in force, the consent would have satisfied any requirement of section 3(4) (consent of trustees and persons appointing foundation governors).
- (6) The consent is to be treated as satisfying that requirement.
- (7) In this section “the commencement date” means the date on which section 3 comes into force.

Changes to legislation:

Academies Act 2010, Section 16 is up to date with all changes known to be in force on or before 11 June 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 1 para. 9A and cross-heading inserted by [2023 c. 55 s. 235\(1\)](#)