

---

STATUTORY INSTRUMENTS

---

**1999 No. 2102**

**EDUCATION, ENGLAND AND WALES**

**The Education (Substituted  
Grammar Schools) Regulations 1999**

<i>Made</i>	- - - -	<i>22nd July 1999</i>
<i>Laid before Parliament</i>		<i>28th July 1999</i>
<i>Coming into force</i>	- -	<i>23rd August 1999</i>

In exercise of the powers conferred on the Secretary of State by sections 104(5) and 138(7) of the School Standards and Framework Act 1998(1), the Secretary of State for Education and Employment hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) The Regulations may be cited as the Education (Substituted Grammar Schools) Regulations 1999 and shall come into force on 23rd August 1999.

(2) In these Regulations—

- (a) “the Act” means the School Standards and Framework Act 1998;
- (b) “the Ballot Regulations” means the Education (Grammar School Ballots) Regulations 1998(2).

**Designation of new grammar school**

2. Where the Secretary of State is satisfied that—

- (a) a maintained school has been established in substitution for one or more discontinued schools each of which has or could have been designated as a grammar school (whether by virtue of section 104(1) of the Act or by virtue of this regulation); and
- (b) that the school will have or had selective admission arrangements at the beginning of the school year in which the school first admits pupils,

he may designate the school as a grammar school for the purpose of Chapter II of Part III of the Act.

---

(1) 1998 c. 31.  
(2) S.I.1998/2876.

### **Modifications to Ballot Regulations in relation to new grammar school**

3.—(1) In this regulation—

- (a) “the new school” means the grammar school which has been designated as such by virtue of regulation 2;
- (b) “an old school” means any grammar school in substitution for which the new school has been established; and
- (c) “group of grammar schools” and “stand alone grammar school” have the same meaning as in the Ballot Regulations.

(2) In relation to the new school the Ballot Regulations shall have effect with the modifications specified in paragraphs (3) to (5).

(3) Where the new school was established in substitution for one or more old schools which formed part of a group of grammar schools the new school shall form part of the same group and accordingly shall be treated as specified (in relation to the appropriate group) in the middle column of Schedule 2 to the Ballot Regulations unless paragraph (4) applies.

(4) Where—

- (a) the new school was established in substitution for one or more old schools which together formed the only schools in a group of grammar schools; or
- (b) the new school was established in substitution for a single grammar school,

the new school shall be a stand alone grammar school and accordingly shall be treated as specified in Schedule 3 to the Ballot Regulations.

(5) For the purposes of regulation 6 of the Ballot Regulations the new school and any old school shall be treated as a single school.

### **Transitional Provisions**

4.—(1) Where the new school is established after the date on which a petition is received by the designated body then for the purpose of determining whether the petition is a valid petition and for the purpose of any subsequent ballot, the new school and any old school shall be treated as a single school.

(2) In this regulation “the new school” and “an old school” have the same meanings as in regulation 3.

22nd July 1999

*Estelle Morris*  
Minister of State,  
Department for Education and Employment

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations make provisions in relation to maintained schools which are established in substitution for one or more discontinued schools which were or could have been designated as grammar schools.

Regulation 2 provides that such a school may be designated as a grammar school. Regulation 3 makes some consequential modifications to the Education (Grammar School Ballots) Regulations 1998 and regulation 4 makes transitional provisions.