
STATUTORY INSTRUMENTS

1999 No. 704

**The Education (Transition to New Framework)
(School Organisation Proposals) Regulations 1999**

PART II

**TRANSITIONAL PROVISIONS CONSEQUENTIAL ON THE COMING
INTO FORCE ON 1ST APRIL 1999 OF REPEALS RELATING
TO THE FUNCTIONS OF THE FUNDING AUTHORITY**

Proposals under section 339 of the 1996 Act

7.—(1) Where before 1st April 1999 the funding authority have under section 339(5) of the 1996 Act served notice of proposals such as is mentioned in section 339(2) of that Act (establishment etc. of grant-maintained special schools)—

- (a) in the case of proposals such as are mentioned in section 339(2)(a) or (c) the Secretary of State may only approve the proposals under section 340(4) of that Act if the local education authority which maintains or is to maintain the school consents and otherwise he shall reject them; and
- (b) in the case of proposals such as are mentioned in section 339(2)(b), the Secretary of State shall consult the local authority which maintains the school and the governing body of the school before taking any decision under section 340(4) of that Act.

(2) Where—

- (a) proposals such as are mentioned in section 339(2)(a) of the 1996 Act were approved before 1st April 1999 but have not been implemented before that date, or
- (b) such proposals were approved on or after 1st April 1999 in accordance with paragraph (1), section 339(6) and 340(5)(b) shall have effect, in relation to such proposals, as if for “the body which served the notice” there were substituted “the local education authority which is to maintain the school”.