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STATUTORY INSTRUMENTS

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**2001 No. 692**

**EDUCATION, ENGLAND**

**The Education (Schools and Further and Higher Education) (Amendment) (England) Regulations 2001**

*Made* - - - - 28th February 2001  
*Laid before Parliament* 6th March 2001  
*Coming into force* - - 1st April 2001

In exercise of the powers conferred on the Secretary of State by sections 218(7) and 232(5) of the Education Reform Act 1988(1) and sections 544 and 569(4) of the Education Act 1996(2), the Secretary of State for Education and Employment hereby makes the following Regulations:

1.—(1) These Regulations may be cited as the Education (Schools and Further and Higher Education) (Amendment) (England) Regulations 2001 and shall come into force on 1st April 2001.

(2) These Regulations shall apply only in relation to England.

2. The Education (Schools and Further and Higher Education) Regulations 1989(3) shall be amended as follows—

(a) in regulation 4(1)(a) for the words “, a special school not so maintained or a grant-maintained school” there shall be substituted the words “or a special school not so maintained”; and

(b) regulations 6(1), 8 and 9 shall be revoked.

28th February 2001

*Jacqui Smith*  
Parliamentary Under Secretary of State,  
Department for Education and Employment

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(1) 1988 c. 40. Section 218(7) was amended by the Education Act 1996 (c. 56), Schedule 38, Part I. By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672) the powers conferred by these sections are exercisable by the Secretary of State only in relation to England.

(2) 1996 c. 56; section 544 was amended by the School Standards and Framework Act 1998 (c. 31), Schedule 30, paragraph 160. By virtue of S.I. 1999/672 the powers conferred by these sections are exercisable by the Secretary of State only in relation to England.

(3) S.I. 1989/351. These Regulations continue to have effect by virtue of paragraph 1 of Schedule 39 to the Education Act 1996.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## **EXPLANATORY NOTE**

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

These Regulations amend the Education (Schools and Further and Higher Education) Regulations 1989.

Regulation 8 is revoked so that there is no longer a requirement for the Secretary of State's approval for the provision of new premises involving building work or alterations to existing premises at a school, further or higher education institution or a hostel for pupils with special educational needs. The definition of a hostel for pupils with special educational needs in regulation 6(1) is also revoked.

The revocation only removes the need for approval under the Regulations and not the need for any approval or consent under any other enactment.

Regulation 9 which refers to the inspection of a hostel for pupils with special educational needs by an inspector appointed under section 77 of the Education Act 1944, or by a person authorised to inspect under those Regulations, is revoked.