
STATUTORY INSTRUMENTS

2007 No. 1355

EDUCATION, ENGLAND

The School Organisation (Transitional Provisions) (England) Regulations 2007

Made - - - - - *26th April 2007*
Laid before Parliament *4th May 2007*
Coming into force *25th May 2007*

THE SCHOOL ORGANISATION (TRANSITIONAL PROVISIONS) (ENGLAND) REGULATIONS 2007

PART 1

1. Citation, commencement and application
2. Interpretation

PART 2

SSFA 1998EA 2005

3. Undetermined Proposals published under SSFA 1998 and EA 2005: general
4. Objections and comments
5. Consideration of proposals published under SSFA 1998 and EA 2005: general
6. Proposals requiring consideration under regulation 7
7. Consideration of proposals
8. Consideration of proposals that are related to other proposals
9. Duty to refer to the adjudicator certain proposals made by or involving relevant authority
10. Duty to refer proposals to the adjudicator where determination delayed
11. Reference to the adjudicator at request of aggrieved person after determination under regulation 7 (4)
12. Duty to refer related proposals
13. Withdrawal of proposals before determination
14. Effect of referring proposals to adjudicator
15. Proposals to establish Academies

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16. Determination whether to implement discontinuance proposals not requiring consideration under regulation 7
17. Provision of information
18. Requirement to implement proposals, revocation and modification
19. Proposals not falling to be implemented

PART 3

SSFA 1998EA 2005

20. Requirement to Implement Proposals
21. Modification post determination
22. Revocation of proposals
23. Proposals not falling to be implemented

PART 4

SSFA 1998

24. Undetermined Proposals published under SSFA 1998 Act: general
25. Consideration of proposals published under SSFA 1998: general
26. Objections and Comments
27. Consideration and determination of proposals by the local education authority or the adjudicator
28. Provision for notification of decisions
29. Appeals to adjudicator
30. Related Proposals
31. Determination of proposals where the school is transferring to a different local education authority
32. Transitional exemption orders under the Sex Discrimination Act 1975
33. Conditional approvals
34. Withdrawal of Proposals
35. Requirement to Implement Proposals
36. Revocation of Proposals (after approval)
37. Modification post determination
38. Proposals not falling to be implemented
39. Unimplemented statutory proposals
40. Provisions applicable to proposals relating to change of category only

PART 5

SSFA 1998

41. Requirement to Implement Proposals
42. Modification post determination
43. Revocation of proposals (after approval)
44. Proposals not falling to be implemented
45. Unimplemented statutory proposals
46. Provisions applicable to proposals relating to change of category only
Signature

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Part 1 — Proposals published under section 66 of EA 2005 where school is to be established in area other than that of local education authority that published the notice

1. In relation to proposals published under section 66 of EA...
2. After regulation 3 (9) insert— (10) Where the notice published...
3. After regulation 4 (4) insert— (5) Local Education Authority A—...
4. For regulation 7 (3) substitute the following—
5. For regulation 10 substitute the following— If within 2 months from the end of the period...

Part 2 — Proposals published under section 28, 28A or 31 of SSFA 1998 where school is to be established in area other than that of local education authority who it is proposed should maintain the school

6. In relation to proposals published under section 28,28A or 31...
7. After regulation 3 (9) insert— (10) Where the proposed school...
8. After regulation 4 (4) insert— (5) Local Education Authority A...
9. For regulation 7 (4) substitute the following—
10. For regulation 10 substitute the following— If within 2 months from the end of the period...

SCHEDULE 2 — IMPLEMENTATION OF ESTABLISHMENT AND DISCONTINUANCE PROPOSALS

1. Proposals relating to community schools, community special schools or maintained nursery schools
2. Proposals relating to foundation or voluntary controlled schools
3. Proposals relating to voluntary aided schools
4. Proposals relating to foundation special schools
5. Proposals relating to Academies
6. Provision of site and buildings for proposed foundation, voluntary controlled or foundation special school
7. Grants in respect of certain expenditure relating to proposed voluntary aided school
8. Assistance for proposers of proposed voluntary aided school
9. Duty to transfer interest in premises provided under paragraph 8

SCHEDULE 3 — PROVISIONS APPLICABLE TO PROPOSALS RELATING TO A CHANGE OF CATEGORY

1. Revision or replacement of the school's instrument of government
2. Reconstitution or replacement of the governing body
3. Current governors continuing in office
4. Surplus governors
5. Transfer of staff
6. (1) Subject to sub-paragraph (2), paragraph 5 applies to any...
7. Any person who before the implementation date has been appointed...
8. Where a school changes category from a voluntary controlled or...
9. (1) Subject to sub-paragraph (2), paragraph 8 applies to any...
10. Any person who before the implementation date has been appointed...
11. Paragraphs 5 to 10 are without prejudice to any right...
12. (1) This paragraph applies where a voluntary controlled school with...

SCHEDULE 4 — LAND TRANSFERS WHEN A SCHOOL CHANGES CATEGORY

1. Where any land is transferred to and vests in any...
2. Rules relating to transfer
3. (1) This paragraph applies where any proposals that a community...

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4. (1) This paragraph applies where any proposals that a community...
5. (1) This paragraph applies where any proposals that a voluntary...
6. (1) This paragraph applies where any proposals that a voluntary...
7. (1) This paragraph applies where any proposals that a community...
8. Outstanding transfers
9. Transfers of right to use land
10. Land excluded from transfers
11. Restrictions on disposal of land when proposals are pending
12. (1) During any period when the procedure for becoming a...
13. (1) During any period when the procedure for becoming a...
14. Provision of information
15. Division and apportionment of property
16. Identification of property, rights and liabilities
17. Resolution of disputes
18. Right to production of documents of title
19. Proof of title by certificate
20. Construction of agreements
21. (1) Without prejudice to the generality of paragraph 20 ,...
22. Third parties affected by vesting provisions
23. In this Schedule— “relevant purposes” means— in relation to a...

Explanatory Note