

Status: Point in time view as at 06/04/2008.

Changes to legislation: Education Reform Act 1988, Paragraph 7 is up to date with all changes known to be in force on or before 14 July 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. (See end of Document for details)

SCHEDULES

SCHEDULE 10

SUPPLEMENTARY PROVISIONS WITH RESPECT TO TRANSFERS

Modifications etc. (not altering text)

- C1** Sch. 10: functions conferred by [The Education \(Inner London Education Authority\) \(Transfer of Functions\) Order 1991 \(S.I.1991/1457\)](#), **arts. 2(b), 3**
Sch. 10 applied (with modifications) (1.4.1999 in relation to s. 74 of the amending Act and 1.9.1999 in relation to Sch. 21 of the amending Act) by [School Standards and Framework Act 1998 \(c. 31\)](#), s. 74, **Sch. 21 Pt. I para. 2(3)** (with ss. 138(9), 144(6)); S.I. 1999/1016, art. 2(1), **Sch. 1**, s. 74; S.I. 1999/2323, art. 2(1), **Sch.**
Power to amend conferred (1.2.1999) by [School Standards and Framework Act 1998 \(c. 31\)](#), s. 137(4) **(a)** (with ss. 138(9), 144(6)); S.I. 1999/120, art. 2(1), **Sch. 1** (with art. 4).
Sch. 10 applied (with modifications) (1.1.2001) by [The Education \(New Procedures for Property Transfers\) Regulations 2000 \(S.I. 2000/3209\)](#), regs. 5, 6, 7, **Sch. 1**
Sch. 10 modified (E.) (1.1.2001) by [The Education \(New Procedures for Property Transfers\) Regulations 2000 \(S.I. 2000/3209\)](#), **regs. 15, 17**, (with regs. 18, 19)
Sch. 10 modified (W.) (1.9.2001) by [The Change of Category of Maintained Schools \(Wales\) Regulations 2001 \(S.I. 2001/2678\)](#), reg. 16, **Sch. 4 para. 2**
- C1** Sch. 10 applied (E.) (25.5.2007) by [The School Governance \(Federations\) \(England\) Regulations 2007 \(S.I. 2007/960\)](#), regs. 1(1), **41(2)**, 46(2)

Construction of agreements

- 7 (1) Without prejudice to the generality of paragraph 6 above, the transferee under a transfer to which this Schedule applies and any other person shall, as from the transfer date, have the same rights, powers and remedies (and in particular the same rights and powers as to the taking or resisting of legal proceedings or the making or resisting of applications to any authority) for ascertaining, perfecting or enforcing any right or liability transferred to and vested in the transferee by virtue of this Act [^{F1}or of the School Standards and Framework Act 1998] as he would have had if that right or liability had at all times been a right or liability of the transferee.
- (2) Any legal proceedings or applications to any authority pending on the transfer date by or against the transferor, in so far as they relate to any property, right or liability transferred to the transferee by virtue of this Act [^{F1}or of the School Standards and Framework Act 1998], or to any agreement relating to any such property, right or liability, shall be continued by or against the transferee to the exclusion of the transferor.

Textual Amendments

- F1** Words in Sch. 10 para. 7 inserted (1.1.1994) by [1993 c. 35, s. 307\(1\)](#), **Sch. 19**, para. 144(d); S.I. 1993/3106, art. 4, **Sch. 1** (with art. 5, Sch. 2) (amended by S.I. 1994/436, **art. 2**) and words substituted

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for those words (1.2.1999) by virtue of 1998 c. 31, s. 137, **Sch. 29 para.7** (with ss. 138(9), 144(6)); S.I. 1999/120, art. 2(1), **Sch. 1** (with art. 4).

Modifications etc. (not altering text)

- C1** Sch. 10 paras. 6-8 applied (1.1.1994) by 1993 c. 35, ss. 238, 239, **Sch. 13**, para. 15; S.I. 1993/3106, art. 4, **Sch. 1** (with art. 5, **Sch. 2**) (amended by S.I. 1994/436, art. 2).
 Sch. 10 paras. 6-8 applied (1.11.1996) by 1996 c. 56, ss. 88(1), 583, **Sch. 7 para. 12** (with ss. 1(4), 561, 562, **Sch. 39**).
 Sch. 10 paras. 6-8 extended (1.9.1999) by S.I. 1999/2243, **reg. 44(2)**.
 Sch. 10 paras. 6-8 applied (1.9.1999) by S.I. 1999/2262, **reg. 44(2)**.
 Sch. 10 paras. 2-10 applied (with modifications) (W.) (31.7.2000) by S.I. 1999/362, **reg. 54A(1)** (as substituted (W.) (31.7.2000) by 2000/1867, reg. 2, Sch.)
- C2** Sch. 10 paras. 6-8 applied (1.9.1999) by 1998 c. 31, s. 76, **Sch. 22 Pt. III para. 9(2)** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- C3** Sch. 10 para. 7 extended (10.3.1999) by S.I. 1999/362, **reg. 25**.
- C4** Sch. 10 para. 7 applied (with modifications) (10.3.1999) by S.I. 1999/362, **reg. 54(6)(a)**
 Sch. 10 para. 7 applied (with modifications) (E.) (31.12.1999) by S.I. 1999/362, **regs. 54A(1), 54C(1)**, (as substituted (E.) (31.12.1999) by S.I. 1999/3297, **reg. 2**)

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