



Education Act 1993 (repealed)

1993 CHAPTER 35

PART VI

MISCELLANEOUS

Supplementary

305 General interpretation.

(1) In this Act—

“alterations”, in relation to any school premises, includes improvements, extensions and additions and “alter” shall be read accordingly,

“Church in Wales school” means a school in the Province of Wales in which the religious education provided is provided in accordance with the faith and practice of the Church in Wales and “appropriate diocesan authority”, in relation to such a school, means the Diocesan Board of Finance for the diocese of the Church in Wales in which the school is situated or such other person as the Secretary of State may by order designate in respect of that diocese,

“Church of England school” means a school in the Province of Canterbury or York in which the religious education provided is provided in accordance with the faith and practice of the Church of England and “appropriate diocesan authority”, in relation to such a school, means the Diocesan Board of Education for the diocese of the Church of England in which the school is situated,

“contract of employment”, “employee” and “employer” have the same meaning as in [F1the Employment Rights Act 1996], and “employed” means employed under a contract of employment,

“financial year” means a period of twelve months ending with 31st March,

“functions” includes powers and duties,

“land” includes buildings and other structures, land covered with water, and any interest in land,

“liability” includes obligation,

Status: Point in time view as at 22/08/1996. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Education Act 1993 (repealed), Section 305. (See end of Document for details)

“local authority” means a county council [^{F2}county borough council], a district council, a London borough council or the Common Council of the City of London,

“local education authority” —

- (a) in relation to a school maintained or proposed to be maintained by a local education authority, means that authority, and
- (b) in relation to a grant-maintained school, means the local education authority for the area in which the school is situated,

“maintained school” means any county school or voluntary school and any maintained special school which is not established in a hospital,

“modifications” includes additions, alterations and omissions and “modify” shall be construed accordingly,

“prescribed” means prescribed by regulations,

“regulations” means regulations made by the Secretary of State, and

“Roman Catholic Church school” means a school in which the religious education provided is provided in accordance with the faith and practice of the Roman Catholic Church and “appropriate diocesan authority”, in relation to such a school, means the bishop of the Roman Catholic diocese in which the school is situated.

- (2) References in this Act to an interest in land include any easement, right or charge in, to or over land.
- (3) This Act shall be construed as one with the ^{M1}Education Act 1944; but where an expression is given for the purposes of any provision of this Act a meaning different from that given to it for the purposes of that Act, the meaning given for the purposes of that Act shall not apply for the purposes of that provision.
- (4) Before making an order in respect of any diocese in Wales in exercise of the power conferred by the definition of “appropriate diocesan authority”, the Secretary of State shall consult the bishop for the diocese.

Textual Amendments

F1 Words in definition of “contract of employment” in s. 305(1) substituted (22.8.1996) by 1996 c. 18, ss. 243, 240, **Sch. 1 para. 59**

F2 Words in definition of “local authority” in s. 305(1) inserted (1.4.1996) by 1994 c. 19, s. 66(6), **Sch. 16 para. 105(1)**; S.I. 1996/396, art. 4, **Sch. 2**

Marginal Citations

M1 1944 c. 31.

Status:

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Changes to legislation:

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