

Status: Point in time view as at 01/09/1999. This version of this provision has been superseded.

Changes to legislation: Education Act 1996, Paragraph 3 is up to date with all changes known to be in force on or before 30 June 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 27

MAKING AND MAINTENANCE OF STATEMENTS UNDER SECTION 324

Choice of school

- 3 (1) Every local education authority shall make arrangements for enabling a parent on whom a copy of a proposed statement has been served under paragraph 2 to express a preference as to [^{F1}the maintained school] at which he wishes education to be provided for his child and to give reasons for his preference.
- (2) Any such preference must be expressed or made within the period of 15 days beginning—
- (a) with the date on which the written notice mentioned in paragraph 2(b) was served on the parent, or
 - (b) if a meeting has (or meetings have) been arranged under paragraph 4(1)(b) or (2), with the date fixed for that meeting (or the last of those meetings).
- (3) Where a local education authority make a statement in a case where the parent of the child concerned has expressed a preference in pursuance of such arrangements as to the school at which he wishes education to be provided for his child, they shall specify the name of that school in the statement unless—
- (a) the school is unsuitable to the child's age, ability or aptitude or to his special educational needs, or
 - (b) the attendance of the child at the school would be incompatible with the provision of efficient education for the children with whom he would be educated or the efficient use of resources.
- (4) A local education authority shall, before specifying the name of [^{F2}any maintained school] in a statement, consult the governing body of the school and, if the school is maintained by another local education authority, that authority.

Textual Amendments

- F1** Words in Sch. 27 para 3(1) substituted (1.9.1999) by 1998 c. 31, s. 140(1), Sch. 30 para. 186(2)(a) (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), Sch. 1
- F2** Words in Sch. 27 para. 3(4) substituted (1.9.1999) by 1998 c. 31, s. 140(1), Sch. 30 para. 186(2)(b) (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), Sch. 1

Modifications etc. (not altering text)

- C1** Sch. 27 para. 3(4) applied (with modifications) (1.9.1999) by S.I. 1999/2800, reg. 7, Sch. paras. 1, 2-4
Sch. 27 para. 3(4) applied (with modifications) (18.10.1999) by S.I. 1999/2666, reg. 8, Sch. paras. 1(b), 2-4

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