

*Status: Point in time view as at 01/08/1998.*

*Changes to legislation: Education Act 1996, Cross Heading: Responsibility for providing sufficient school places is up to date with all changes known to be in force on or before 24 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 4

#### DISTRIBUTION OF FUNCTIONS WHERE ORDER MADE UNDER SECTION 27

#### PART IV

#### FUNCTIONS WHERE RESPONSIBILITY EITHER SHARED OR TRANSFERRED

##### *Responsibility for providing sufficient school places*

- 16 In relation to any power under section 211 to publish proposals for the establishment of a grant-maintained school—
- (a) references to establishing a school for the purpose of providing primary education include establishing a primary school which also provides secondary education; and
  - (b) references to establishing a school for the purpose of providing secondary education include establishing a secondary school which also provides primary education.
- 17 (1) Where relevant education is only primary education—
- (a) no proposals may be published under section 260 in respect of any grant-maintained school which is a secondary school or if the implementation of the proposals would cause the school to become a secondary school;
  - (b) no proposals may be published under section 268 in respect of any grant-maintained secondary school; and
  - (c) no direction may be given under section 428(2) to the governing body of any grant-maintained secondary school.
- (2) Where relevant education is only secondary education—
- (a) no proposals may be published under section 260 in respect of any grant-maintained school which is a primary school or if the implementation of the proposals would cause the school to become a primary school;
  - (b) no proposals may be published under section 268 in respect of any grant-maintained primary school; and
  - (c) no direction may be given under section 428(2) to the governing body of any grant-maintained primary school.
- 18 The funding authority shall not by virtue of paragraph 3 or 5 be under any duty in respect of junior pupils who have not attained [<sup>F1</sup>compulsory school age].

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### Textual Amendments

- F1** Words in Sch. 4 para. 18 substituted (1.8.1998) by 1997 c. 44, s. 57(1), **Sch. 7 para. 46(2)**; S.I. 1998/386, art. 2(3), **Sch. 1 Pt.III** (which Sch. 7 para. 46 is repealed (*prosp.*) by 1998 c. 31, s. 140(1)(3), Sch. 30 para. 223, **Sch.31**(with ss. 138(9), 144(6)))

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