

## SCHEDULES

### SCHEDULE 9

#### TEMPORARY GOVERNING BODIES OF COUNTY, VOLUNTARY AND MAINTAINED SPECIAL SCHOOLS

##### *Constitution of temporary governing bodies*

- 2 (1) Subject to the following provisions of this Schedule, a temporary governing body of a new school shall be constituted—
- (a) in accordance with sections 79 and 80 (so far as applicable), where the school will be a county, controlled or maintained special school, and
  - (b) in accordance with sections 84 and 85 (so far as applicable), where the school will be an aided school.
- (2) For the purposes of the application of section 79, 80, 84 or 85 in relation to the constitution of the temporary governing body of a new school, the new school shall be treated as having as registered pupils the maximum number of pupils referred to in the relevant proposals.
- 3 (1) A local education authority shall not make an arrangement in respect of a new school which will be a controlled school without the agreement of the promoters as to the provision which will be made in relation to the temporary foundation governors; and in the event of any disagreement between the authority and the promoters in respect of that provision, either of them may refer the matter to the Secretary of State.
- (2) A local education authority shall not make an arrangement in respect of a new school which will be an aided school without the agreement of the promoters as to the composition of the temporary governing body; and in the event of any disagreement between the authority and the promoters as to the composition of that body, either of them may refer the matter to the Secretary of State.
- (3) On a reference under this paragraph, the Secretary of State shall give such direction as he thinks fit.