



School Standards and Framework Act 1998

1998 CHAPTER 31

PART III

SCHOOL ADMISSIONS

CHAPTER I

ADMISSION ARRANGEMENTS

[^{F1}Admission arrangements: Wales]

[^{F1}89C Further provision about schemes adopted or made by virtue of section 89B

- (1) Regulations may make provision about the contents of schemes under section 89B(2), including provision about the duties that may be imposed by such schemes on—
 - (a) local education authorities [^{F2}in Wales], and
 - (b) the admission authorities for maintained schools [^{F3}in Wales].
- (2) Regulations may provide that where a local education authority [^{F4}in Wales] or the governing body of a maintained school [^{F5}in Wales] have, in such manner as may be prescribed, adopted a scheme formulated by a local education authority for the purpose mentioned in section 89B(1)(a), sections 496 and 497 of the Education Act 1996 shall apply as if any obligations imposed on the local education authority or governing body under the scheme were duties imposed on them by that Act.
- (3) Regulations may provide that where any decision as to whether a child is to be granted or refused admission to a maintained school [^{F6}in Wales] falls to be made in prescribed circumstances, the decision shall, if a scheme adopted or made [^{F7}by virtue of section 89B] so provides, be made by the local education authority regardless of whether they are the admission authority for the school.

Status: Point in time view as at 26/01/2009. This version of this provision has been superseded.

Changes to legislation: School Standards and Framework Act 1998, Section 89C is up to date with all changes known to be in force on or before 30 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)

- [Where any decision as to whether a child is to be granted or refused admission to a ^{F8}(3A) maintained school [^{F9}in Wales] is (by virtue of regulations under subsection (3)) made by the local authority although they are not the admission authority, the governing body of the school must implement the decision.]
- (4) Before proposing a scheme for adoption under section 89B(1) a local education authority shall comply with such requirements as to consultation as may be prescribed.
- (5) Regulations under subsection (4) may in particular require consultations to be undertaken with a view to securing that the arrangements for the admission of pupils to maintained schools in the areas of different local education authorities are, so far as is reasonably practicable, compatible with each other.
- (6) Before making a scheme under section 89B(2) in relation to the area of any local education authority, [^{F10}the Welsh Ministers] shall consult—
- (a) the local education authority, and
 - (b) any governing body who are the admission authority for a school which appears to the Secretary of State to be a school to which the scheme will apply.
- (7) A scheme made under section 89B(2) may be varied or revoked by [^{F11}the Welsh Ministers].]

Textual Amendments

- F1** Ss. 89B, 89C inserted (1.10.2002 for E., 1.2.2006 for W.) by [Education Act 2002 \(c. 32\)](#), **ss. 48**, 216(4) (with **ss. 210(8)**, 214(4)); [S.I. 2002/2439](#), art. 3; [S.I. 2006/172](#), art. 4, Sch.
- F2** Words in s. 89C(1)(a) inserted (26.1.2009) by [Education and Skills Act 2008 \(c. 25\)](#), s. 173(4), **Sch. 1 para. 60(2)(a)**; [S.I. 2008/3077](#), art. 4(g)
- F3** Words in s. 89C(1)(b) inserted (26.1.2009) by [Education and Skills Act 2008 \(c. 25\)](#), s. 173(4), **Sch. 1 para. 60(2)(b)**; [S.I. 2008/3077](#), art. 4(g)
- F4** Words in s. 89C(2) inserted (26.1.2009) by [Education and Skills Act 2008 \(c. 25\)](#), s. 173(4), **Sch. 1 para. 60(3)(a)**; [S.I. 2008/3077](#), art. 4(g)
- F5** Words in s. 89C(2) inserted (26.1.2009) by [Education and Skills Act 2008 \(c. 25\)](#), s. 173(4), **Sch. 1 para. 60(3)(b)**; [S.I. 2008/3077](#), art. 4(g)
- F6** Words in s. 89C(3) inserted (26.1.2009) by [Education and Skills Act 2008 \(c. 25\)](#), s. 173(4), **Sch. 1 para. 60(4)**; [S.I. 2008/3077](#), art. 4(g)
- F7** Words in s. 89C(3) substituted (8.1.2007 for E., 30.6.2008 for W.) by [Education and Inspections Act 2006 \(c. 40\)](#), **ss. 43(3)(a)**, 188(3); [S.I. 2006/3400](#), art. 2(a); [S.I. 2008/1429](#), art. 3(1), Sch. Pt. 1
- F8** S. 89C(3A) inserted (8.1.2007 for E., 30.6.2008 for W.) by [Education and Inspections Act 2006 \(c. 40\)](#), **ss. 43(3)(b)**, 188(3); [S.I. 2006/3400](#), art. 2(a); [S.I. 2008/1429](#), art. 3(1), Sch. Pt. 1
- F9** Words in s. 89C(3A) inserted (26.1.2009) by [Education and Skills Act 2008 \(c. 25\)](#), s. 173(4), **Sch. 1 para. 60(4)**; [S.I. 2008/3077](#), art. 4(g)
- F10** Words in s. 89C(6) substituted (26.1.2009) by [Education and Skills Act 2008 \(c. 25\)](#), s. 173(4), **Sch. 1 para. 60(5)** (with s. 167(2)); [S.I. 2008/3077](#), art. 4(g)
- F11** Words in s. 89C(7) substituted (26.1.2009) by [Education and Skills Act 2008 \(c. 25\)](#), s. 173(4), **Sch. 1 para. 60(5)** (with s. 167(2)); [S.I. 2008/3077](#), art. 4(g)

Modifications etc. (not altering text)

- C1** S. 89C applied (with modifications) (E.) (8.5.2003) by [The New School \(Admissions\) \(England\) Regulations 2003 \(S.I. 2003/1041\)](#), regs. 1(1), 9, **Sch. para. 1(b)**
- C2** S. 89C applied (with modifications) (W.) (1.2.2006) by [The New School \(Admissions\) \(Wales\) Regulations 2006 \(S.I. 2006/175\)](#), regs. 1(1), 9, **Sch.** (with reg. 2(2))

Status:

Point in time view as at 26/01/2009. This version of this provision has been superseded.

Changes to legislation:

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