



# Education Act 2002

## 2002 CHAPTER 32

### PART 1

#### PROVISION FOR NEW LEGAL FRAMEWORKS

### CHAPTER 1

#### POWERS TO FACILITATE INNOVATION

## 1 Purpose and interpretation of Chapter 1

- (1) The purpose of this Chapter is to facilitate the implementation by qualifying bodies of innovative projects that may—
  - (a) in the opinion of the Secretary of State, contribute to the raising of the educational standards achieved by children in England, or
  - (b) in the opinion of the National Assembly for Wales, contribute to the raising of the educational standards achieved by children in Wales.
- (2) In forming an opinion as to whether a project may contribute to the raising of the educational standards achieved by children in England or Wales, the Secretary of State or the National Assembly for Wales shall—
  - (a) have regard to the need for the curriculum for any school affected by the project to be a balanced and broadly based curriculum which promotes the spiritual, moral, cultural, mental and physical development of children and of society, and
  - (b) consider the likely effect of the project on all the children who may be affected by it.
- (3) In this Chapter—

“the Chief Inspector” means—

  - (a) in relation to England, Her Majesty’s Chief Inspector of Schools in England, and

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*Status: Point in time view as at 01/04/2006. This version of this provision has been superseded.*

*Changes to legislation: Education Act 2002, Section 1 is up to date with all changes known to be in force on or before 28 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)*

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- (b) in relation to Wales, Her Majesty’s Chief Inspector of Education and Training in Wales;  
 “children” means persons under the age of nineteen;  
 “education legislation” means—
- (a) the Education Acts (as defined by section 578 of the Education Act 1996 (c. 56)),  
 (b) the Learning and Skills Act 2000 (c. 21), and  
 (c) any subordinate legislation made under any of those Acts;  
 “qualifying body” means—
- (a) a local education authority,  
 (b) an Education Action Forum,  
 (c) the governing body of a qualifying school, or  
 (d) the proprietor of any special school that is not maintained by a local education authority but is for the time being approved by the Secretary of State or the National Assembly for Wales under section 342 of the Education Act 1996;  
 “qualifying school” means—
- (a) a community, foundation or voluntary school or a community or foundation special school,  
 (b) a maintained nursery school,  
 (c) a city technology college,  
 (d) a city college for the technology of the arts, or  
 (e) an Academy;  
 “subordinate legislation” has the same meaning as in the Interpretation Act 1978 (c. 30).

#### **Commencement Information**

- I1** S. 1 partly in force; s. 1 not in force at Royal Assent, see s. 216; s. 1 in force (except for the words "(b) a maintained nursery school" in the list of qualifying schools in s. 1(3)) for E. at 1.10.2002 by S.I. 2002/2439, art. 3 (with transitional provisions and savings in Sch.)
- I2** S. 1 in force at 1.9.2003 so far as not already in force except in relation to W. by S.I. 2003/1667, art. 4

**Status:**

Point in time view as at 01/04/2006. This version of this provision has been superseded.

**Changes to legislation:**

Education Act 2002, Section 1 is up to date with all changes known to be in force on or before 28 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.