



# Education Act 2002

## 2002 CHAPTER 32

### PART 6

#### THE CURRICULUM IN ENGLAND

##### *The National Curriculum for England*

#### **87 Establishment of the National Curriculum for England by order**

[<sup>F1</sup>(1) The Secretary of State shall so exercise the powers conferred by subsection (3) as to revise the National Curriculum for England whenever he considers it necessary or expedient to do so.]

<sup>F2</sup>(2) .....

(3) In respect of the first, second and third key stages and (subject to section 86) the fourth key stage, the Secretary of State may by order specify in relation to each of the foundation subjects—

- (a) such attainment targets,
- (b) such programmes of study, and
- (c) such assessment arrangements,

as he considers appropriate for that subject.

(4) An order under subsection <sup>F3</sup>... (3) may not require—

- (a) the allocation of any particular period or periods of time during <sup>F4</sup>... any key stage to the teaching of any <sup>F4</sup>... programme of study or any matter, skill or process forming part of it, or
- (b) the making in school timetables <sup>F5</sup>... of provision of any particular kind for the periods to be allocated to such teaching during any such stage.

(5) An order under subsection <sup>F6</sup>... (3) may, instead of containing the provisions to be made, refer to provisions in a document published as specified in the order and direct that those provisions are to have effect or, as the case may be, are to have effect as amended by the order.

*Status: Point in time view as at 01/09/2008. This version of this provision has been superseded.*

*Changes to legislation: Education Act 2002, Section 87 is up to date with all changes known to be in force on or before 04 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)*

- <sup>F7</sup>(6) .....
- (7) An order under subsection (3)(c) may confer or impose such functions on—
- (a) the governing body and head teacher, and
  - (b) the local education authority,
- as appear to the Secretary of State to be required.
- (8) An order under subsection <sup>F8</sup>... (3)(c) may specify such assessment arrangements as may for the time being be made by a person specified in the order.
- (9) Provision shall be made for determining the extent to which any assessment arrangements, and the implementation of the arrangements, achieve the purpose for which the arrangements are made; and any such provision may be made by or under the order specifying the arrangements or (where the order specifies the person making the arrangements) in the arrangements themselves.
- (10) The duties that may be imposed by virtue of subsection <sup>F9</sup>... (7) include, in relation to persons exercising any power in pursuance of provision made by virtue of subsection (9), the duty to permit them—
- (a) to enter premises of the school <sup>F10</sup> ...,
  - (b) to observe implementation of the arrangements, and
  - (c) to inspect, and take copies of, documents and other articles.
- (11) An order under subsection <sup>F11</sup>... (3)(c) may authorise the making of such provisions giving full effect to or otherwise supplementing the provisions made by the order (other than provision conferring or imposing functions as mentioned in subsection <sup>F11</sup>... (7)) as appear to the Secretary of State to be expedient; and any provisions made under such an order shall, on being published as specified in the order, have effect for the purposes of this Part as if made by the order.

#### Textual Amendments

- F1** S. 87(1) substituted (1.9.2008) by [Childcare Act 2006 \(c. 21\)](#), s. 109(2), **Sch. 1 para. 10(2)**; S.I. 2008/2261, art. 2 (with [Sch. 1](#))
- F2** S. 87(2) repealed (1.9.2008) by [Childcare Act 2006 \(c. 21\)](#), s. 109(2), [Sch. 1 para. 10\(3\)](#), **Sch. 3 Pt. 1**; S.I. 2008/2261, art. 2 (with [Sch. 1](#))
- F3** Words in s. 87(4) repealed (1.9.2008) by [Childcare Act 2006 \(c. 21\)](#), s. 109(2), [Sch. 1 para. 10\(4\)\(a\)](#), **Sch. 3 Pt. 1**; S.I. 2008/2261, art. 2 (with [Sch. 1](#))
- F4** Words in s. 87(4)(a) repealed (1.9.2008) by [Childcare Act 2006 \(c. 21\)](#), s. 109(2), [Sch. 1 para. 10\(4\)\(b\)](#), **Sch. 3 Pt. 1**; S.I. 2008/2261, art. 2 (with [Sch. 1](#))
- F5** Words in s. 87(4)(b) repealed (1.9.2008) by [Childcare Act 2006 \(c. 21\)](#), s. 109(2), [Sch. 1 para. 10\(4\)\(c\)](#), **Sch. 3 Pt. 1**; S.I. 2008/2261, art. 2 (with [Sch. 1](#))
- F6** Words in s. 87(5) repealed (1.9.2008) by [Childcare Act 2006 \(c. 21\)](#), s. 109(2), [Sch. 1 para. 10\(5\)](#), **Sch. 3 Pt. 1**; S.I. 2008/2261, art. 2 (with [Sch. 1](#))
- F7** S. 87(6) repealed (1.9.2008) by [Childcare Act 2006 \(c. 21\)](#), s. 109(2), [Sch. 1 para. 10\(6\)](#), **Sch. 3 Pt. 1**; S.I. 2008/2261, art. 2 (with [Sch. 1](#))
- F8** Words in s. 87(8) repealed (1.9.2008) by [Childcare Act 2006 \(c. 21\)](#), s. 109(2), [Sch. 1 para. 10\(7\)](#), **Sch. 3 Pt. 1**; S.I. 2008/2261, art. 2 (with [Sch. 1](#))
- F9** Words in s. 87(10) repealed (1.9.2008) by [Childcare Act 2006 \(c. 21\)](#), s. 109(2), [Sch. 1 para. 10\(8\)\(a\)](#), **Sch. 3 Pt. 1**; S.I. 2008/2261, art. 2 (with [Sch. 1](#))
- F10** Words in s. 87(10)(a) repealed (1.9.2008) by [Childcare Act 2006 \(c. 21\)](#), s. 109(2), [Sch. 1 para. 10\(8\)\(b\)](#), **Sch. 3 Pt. 1**; S.I. 2008/2261, art. 2 (with [Sch. 1](#))

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**F11** Words in s. 87(11) repealed (1.9.2008) by Childcare Act 2006 (c. 21), s. 109(2), Sch. 1 para. 10(9), Sch. 3 Pt. 1; S.I. 2008/2261, art. 2 (with Sch. 1)

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