

Status: Point in time view as at 01/09/2006. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Education Act 2005, Paragraph 4. (See end of Document for details)

SCHEDULES

SCHEDULE 10

PROPOSALS UNDER SECTION 66 FOR ESTABLISHMENT OF SECONDARY SCHOOLS: SUPPLEMENTARY

Modifications etc. (not altering text)

- C1** [Sch. 10](#) modified (1.9.2006) by The Education (New Secondary School Proposals) (England) Regulations 2006, (S.I. 2006/2139), {reg. 24}, Sch. 3
- C1** [Sch. 10](#) applied (1.9.2006) by 1996 c. 56, s. 529(2) (as amended by [Education Act 2005 \(c. 18\)](#), ss. 72, 125, [Sch. 12 para. 2](#)); S.I. 2006/2129, [art. 4](#)

PART 2

APPROVAL OF PROPOSALS BY SCHOOL ORGANISATION COMMITTEE OR ADJUDICATOR

Modifications etc. (not altering text)

- C1** [Sch. 10](#) repealed (25.5.2007) by [Education and Inspections Act 2006 \(c. 40\)](#), ss. 30, 184, 188, [Sch. 3 para. 53](#), [Sch. 18 Pt. 3](#); S.I. 2007/935, [art. 7\(g\)\(o\)\(q\)](#)

Approval of proposals

- 4 (1) The proposals must be considered in the first instance by the school organisation committee.
- (2) The committee may—
- (a) reject all the proposals,
 - (b) approve any of the proposals without modification,
 - (c) approve any of the proposals with such modifications as the committee think desirable after consulting such persons as may be prescribed, or
 - (d) if the committee think it appropriate to do so, and subject to regulations, refer to the adjudicator all the proposals with any comments on them made by the committee.
- (3) Sub-paragraph (2) does not apply in any case where paragraph 5 requires the committee to refer the proposals to the adjudicator.
- (4) Regulations may make provision modifying the application of sub-paragraphs (1) and (2) in relation to proposals which are related to other proposals of a prescribed description; and regulations may require the committee, in deciding for the purposes

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of the regulations whether any proposals are related, to have regard to any guidance given from time to time by the Secretary of State.

- (5) Any approval given under this paragraph may be expressed to take effect only if an event specified in the approval occurs by a date so specified; and regulations may prescribe the events that may be so specified.
- (6) When deciding whether or not to give an approval under this paragraph, the committee must have regard to any guidance given from time to time by the Secretary of State.
- (7) Sub-paragraphs (1) and (2) do not prevent the promoters or local education authority by whom any proposals have been made from withdrawing those proposals—
- (a) except in a case where the proposals have been referred to the adjudicator, by notice in writing to the school organisation committee, or
 - (b) in that excepted case, by notice in writing to the adjudicator,
- at any time before the proposals are determined under this paragraph by the committee or by the adjudicator.

Modifications etc. (not altering text)

- C1** [Sch. 10 para. 4\(1\)](#) modified (1.9.2006) by The Education (New Secondary School Proposals) (England) Regulations 2006, ([S.I. 2006/2139](#)), {reg. 15(2)}
- C2** [Sch. 10 para. 4\(2\)](#) modified (1.9.2006) by The Education (New Secondary School Proposals) (England) Regulations 2006, ([S.I. 2006/2139](#)), {reg. 15(3)}
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Commencement Information

- I1** [Sch. 10 para. 4](#) wholly in force at 1.9.2006; [Sch. 10 para. 4](#) not in force at Royal Assent see [s. 125](#); [Sch. 10 para. 4\(4\)](#) in force at 1.8.2006 and [Sch. 10 para. 4\(1\)-\(3\)\(5\)-\(7\)](#) in force at 1.9.2006 by [S.I. 2006/2129](#), [arts. 3, 4](#)

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