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**Changes to legislation:** Education and Inspections Act 2006, Cross Heading: Delegation of functions is up to date with all changes known to be in force on or before 13 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) View outstanding changes

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## SCHEDULES

### SCHEDULE 12 **E+W**

#### THE CHIEF INSPECTOR AND OTHER INSPECTORS ETC.

#### PART 2 **E+W**

#### INSPECTORS ETC. ACTING ON BEHALF OF CHIEF INSPECTOR

##### *Delegation of functions*

- 9 (1) Anything authorised or required by or under any enactment to be done by the Chief Inspector may be done by—
- (a) any HMI,
  - (b) any other member of the staff of the Office, <sup>F1</sup>...
  - (c) any additional inspector,<sup>[F2]or</sup> ]
  - <sup>[F2]</sup>(d) any inspection administrator, ]
- who is authorised generally or specially for the purpose by the Chief Inspector.
- (2) But sub-paragraph (1) has effect subject to—
- (a) sub-paragraph (3) below and paragraphs 10(2)<sup>[F3</sup>, 11(4) and 11A(3) ], and
  - (b) any contrary provision made by any enactment.
- (3) The making of any report of an inspection of a school under section 5 of EA 2005 which states the opinion that special measures are required to be taken in relation to the school must be personally authorised by—
- (a) the Chief Inspector, or
  - (b) an HMI who is authorised by the Chief Inspector for the purposes of this sub-paragraph.
- (4) Without prejudice to the generality of sub-paragraph (1) above, references to the Chief Inspector—
- (a) in section 10 of EA 2005 (power of entry for purposes of inspection under s. 5 or 8), or
  - (b) in any other enactment by virtue of which any power of entry is exercisable by the Chief Inspector, or otherwise having effect in connection with any such power of entry,
- include references to any person authorised to act on his behalf under sub-paragraph (1).
- (5) In sub-paragraph (4) the reference to any power of entry includes a reference to a power to inspect documents or a power conferred in connection with the inspection of documents.

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#### Textual Amendments

- F1** Word in Sch. 12 para. 9(1)(b) repealed (12.1.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), ss. 226(2), 269(4), **Sch. 16 Pt. 8**; S.I. 2009/3317, art. 2, Sch.
- F2** Sch. 12 para. 9(1)(d) and word inserted (12.1.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), **ss. 226(2)**, 269(4); S.I. 2009/3317, art. 2, Sch.
- F3** Words in Sch. 12 para. 9(2)(a) substituted (12.1.2010) by Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), **ss. 226(3)**, 269(4); S.I. 2009/3317, art. 2, Sch.

#### Commencement Information

- I1** Sch. 12 para. 9 in force at 1.4.2007 by S.I. 2007/935, **art. 5(gg)**

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2006/2990 art. 4 by [S.I. 2008/54 art. 2](#)
- specified provision(s) amendment to earlier commencing SI 2007/935 art. 7(n) by [S.I. 2007/1271 art. 4](#)
- specified provision(s) transitional provisions for earlier commencing SI 2007/935 by [S.I. 2007/1271 art. 5](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 11A inserted by [2010 c. 26 s. 7](#)
- s. 88(A1) inserted by [2015 c. 20 Sch. 16 para. 1\(2\)](#)
- s. 93A inserted by [2009 c. 22 s. 246](#)
- s. 93A(7) words inserted by [S.I. 2016/413 reg. 235](#) (This amendment comes into force on the day that section 93A of the Education and Inspections Act 2006 (c. 40) comes into force. That provision is still prospective)
- s. 162(5A)(aa) inserted by [2010 nawm 1 Sch. 1 para. 20\(a\)](#)