



Education and Inspections Act 2006

2006 CHAPTER 40

PART 9

MISCELLANEOUS

Independent schools

171 Prohibition on participation in management: transitional provision

- (1) A person falls within this subsection if—
- immediately before the relevant day he is subject to a direction under section 142 of EA 2002 given on grounds prescribed for the purposes of this section, and
 - prescribed conditions (which may include conditions relating to decisions taken on or after the relevant day by the [^{F1}Independent Safeguarding Authority] under the Safeguarding Vulnerable Groups Act 2006) are satisfied in relation to him.
- (2) Regulations may provide that, as from a time specified in or determined in accordance with the regulations, persons who fall within subsection (1) are to be treated for prescribed purposes as if the direction given under section 142 of EA 2002 were a direction given by the appropriate authority under section 167A of that Act.
- (3) Regulations may make provision in connection with the determination of any appeal under subsection (1) of section 144 of EA 2002, or application for review under subsection (2) of that section, which is pending on the relevant day.
- (4) Regulations under subsection (3) may, in particular, provide for an appeal, or application for review, under section 144 of EA 2002 to be treated as an appeal under section 167B of that Act.
- (5) In this section—
“appropriate authority” has the same meaning as in section 167A of EA 2002;

Status: Point in time view as at 12/11/2009. This version of this provision has been superseded.

Changes to legislation: Education and Inspections Act 2006, Section 171 is up to date with all changes known to be in force on or before 25 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)

“prescribed” means prescribed by regulations under this section;

“regulations” means regulations made—

(a) in relation to England, by the Secretary of State, or

(b) in relation to Wales, by the Assembly;

“the relevant day” means the day on which section 167A of EA 2002 comes into force.

Textual Amendments

F1 Words in s. 171 substituted (12.11.2009) by [Policing and Crime Act 2009 \(c. 26\)](#), ss., 81(3)(l), 116(5) (a) 81(2)

Commencement Information

I1 S. 171 in force at 12.10.2009 for W. by [S.I. 2009/2545](#), [art. 3\(1\)\(c\)](#)

Status:

Point in time view as at 12/11/2009. This version of this provision has been superseded.

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