



# Education and Inspections Act 2006

## 2006 CHAPTER 40

### PART 2

#### ESTABLISHMENT, DISCONTINUANCE OR ALTERATION OF SCHOOLS

##### *Removal of foundation or reduction in foundation governors*

#### **27 Proposals under section 25: implementation**

- (1) Regulations may make provision in connection with the implementation of proposals under section 25 which have been approved in accordance with regulations under section 26.
- (2) Regulations under this section may, in particular—
  - (a) make provision for the revision or replacement of the school's instrument of government and the reconstitution of its governing body;
  - (b) make provision for the transfer of property, rights and liabilities;
  - (c) make provision about the manner in which, and time within which, anything required or authorised by the regulations must be done.
- (3) Regulations made by virtue of subsection (2)(b) may make provision about any of the matters mentioned in section 24(5)(a) to (i).
- (4) Where—
  - (a) any land forming part of the school premises (“the excluded land”) is not transferred to the governing body, and
  - (b) the governing body, a local education authority or a prescribed person has incurred capital expenditure in relation to the excluded land or in relation to other land the proceeds of the disposal of which were used to acquire or enhance the value of the excluded land,

regulations under this section may authorise or require the foundation to pay any part of the value of the excluded land to the governing body, the local education authority or a prescribed person.

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*Status: Point in time view as at 01/04/2007. This version of this provision has been superseded.*

**Changes to legislation:** *Education and Inspections Act 2006, Section 27 is up to date with all changes known to be in force on or before 29 August 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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(5) Where—

- (a) any land forming part of the school premises (“the transferred land”) is transferred to the governing body, and
- (b) the foundation has incurred capital expenditure in relation to the transferred land or in relation to other land the proceeds of the disposal of which were used to acquire or enhance the value of the transferred land,

regulations under this section may authorise or require the governing body to pay any part of the value of the transferred land to the foundation.

- (6) Regulations under this section may require any prescribed person, in exercising functions under the regulations, to have regard to any guidance given from time to time by the Secretary of State.
- (7) The implementation of proposals under section 25 is not to be taken as authorising any change in the religious character of the school or the loss of religious character.
- (8) In this section “foundation” means a foundation established otherwise than under SSFA 1998.

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**Commencement Information**

**II** S. 27(1)-(6)(8) in force at 1.4.2007 by S.I. 2007/935, art. 5(f)

**Status:**

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