



# Education and Skills Act 2008

## 2008 CHAPTER 25

### PART 4

#### REGULATION AND INSPECTION OF INDEPENDENT EDUCATIONAL PROVISION IN ENGLAND

### CHAPTER 1

#### INDEPENDENT EDUCATIONAL INSTITUTIONS IN ENGLAND

#### *Appeals*

#### **127 Relevant restriction imposed by Tribunal: supplementary**

- (1) This section applies where the Tribunal makes an order under section 124, 125 or 126 imposing a relevant restriction on the proprietor of an institution.
- (2) The order in question has effect from the time the proprietor receives notice of it in accordance with Tribunal Procedure Rules or from the Secretary of State.
- (3) If the proprietor fails to comply with the relevant restriction, the proprietor is guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding 51 weeks or to a fine not exceeding level 5 on the standard scale (or to both).
- (4) In relation to an offence committed before the commencement of section 281(5) of the Criminal Justice Act 2003 (c. 44), for “51 weeks” in subsection (3) substitute “six months”.
- (5) The proprietor may apply to the Tribunal for the relevant restriction to be varied or revoked.
- (6) On an application under subsection (5) the Tribunal must—
  - (a) vary or revoke the relevant restriction as requested in the application, if the Tribunal is satisfied that it is appropriate to do so because of any change of circumstance, and

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**Status:** Point in time view as at 01/10/2010.

**Changes to legislation:** There are currently no known outstanding effects for the Education and Skills Act 2008, Section 127. (See end of Document for details)

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(b) in any other case, refuse to do so.

**Commencement Information**

- II** S. 127 in force at 12.10.2009 by [S.I. 2009/1606](#), [art. 4](#) (with [art. 5](#)) (which transitional provisions in [art. 5](#) are revoked (22.12.2014) by [S.I. 2014/3364](#), [art. 3\(3\)](#), Sch.)

**Status:**

Point in time view as at 01/10/2010.

**Changes to legislation:**

There are currently no known outstanding effects for the Education and Skills Act 2008, Section 127.