



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

Status: Point in time view as at 25/03/2020.

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)

(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.)

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