

*Changes to legislation: Academies Act 2010, Paragraph 22 is up to date with all changes known to be in force on or before 09 May 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*

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 1

#### ACADEMIES: LAND

##### Textual Amendments

- F1** Sch. 1 substituted (1.2.2012) by [Education Act 2011 \(c. 21\)](#), s. 82(3), [Sch. 14 para. 1](#); S.I. 2012/84, art. 3 (with art. 5)

#### PART 4

##### GENERAL

##### *Interpretation*

- 22 (1) A dwelling-house used for occupation by a person employed to work at an educational institution is to be treated for the purposes of this Schedule as used for the purposes of the educational institution.
- (2) In this Schedule—
- “foundation body”, in relation to a school, has the same meaning as in SSFA 1998 (see section 21(4) of that Act);
  - “trustees”, in relation to a school, means any person (other than the governing body) holding property on trust for the purposes of the school.
- (3) In this Schedule, “publicly funded land” means—
- (a) in relation to land held by a governing body, land falling within any of paragraphs (a) to (i) of paragraph A1(1) of Schedule 22 to SSFA 1998 (disposals of school land on discontinuance etc);
  - (b) in relation to land held by a foundation body, land falling within any of paragraphs (a) to (h) of paragraph A7(1) of that Schedule;
  - (c) in relation to land held by trustees, other than land held for the purposes of an Academy, land falling within sub-paragraph (1), (2) or (3) of paragraph A13 of that Schedule;
  - (d) in relation to land held for the purposes of an Academy—
    - (i) land acquired from a governing body, foundation body or trustees that was, at the time of the acquisition, publicly funded land within the meaning of paragraph (a), (b) or (c);
    - (ii) land held by trustees for the purposes of an Academy which was previously held by the trustees for the purposes of a maintained school and which, at the time it was held for the purposes of a maintained school, was publicly funded land within the meaning of paragraph (c);

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- (iii) land acquired from a local authority;
  - (iv) land in relation to which a notice has been served under paragraph 14;
  - (v) land acquired from a person concerned with the running of an Academy that was, at the time of the acquisition, publicly funded land within the meaning of sub-paragraphs (i) to (iv) or this sub-paragraph.
- (4) References in this Schedule to a transfer or disposal of land are to the transfer or disposal of a freehold or leasehold interest in the land or to the grant of a lease in respect of the land.
- (5) References in this Schedule to a disposal of land include references to—
- (a) a compulsory disposal,
  - (b) in the case of any premises held under a tenancy to which Part 2 of the Landlord and Tenant Act 1954 applies, the termination of the tenancy under that Part,
  - (c) entering into a contract to dispose of land, and
  - (d) granting an option to acquire a freehold or leasehold interest in land.
- (6) Where—
- (a) a person (A) holds a freehold or leasehold interest in land from which a leasehold interest has been granted to another person (B), and
  - (b) B is concerned with the running of an Academy,
- for the purposes of this Schedule both A and B are to be treated as holding land for the purposes of an Academy.
- (7) References in this Schedule to a lease include references to a sub-lease.]

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**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):

- Sch. 1 para. 9A and cross-heading inserted by [2023 c. 55 s. 235\(1\)](#)