

1988 No. 2002 (C.73)

EDUCATION, ENGLAND AND WALES  
EDUCATION, SCOTLAND

The Education Reform Act 1988 (Commencement  
No. 3) Order 1988

Made - - - - 14th November 1988

In exercise of the powers conferred by section 236(6) of the Education Reform Act 1988(a) the Secretary of State for Education and Science hereby makes the following Order:

1. This Order may be cited as the Education Reform Act 1988 (Commencement No. 3) Order 1988.

2. The provisions of the Education Reform Act 1988 specified in column 1 of Schedules 1 and 2 to this Order (which relate to the matters mentioned in column 2 thereof) shall, except as otherwise provided in the said column 1, come into force on the date specified in relation to each Schedule in the following table—

Schedule 1	30th November 1988
Schedule 2	1st April 1989

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SCHEDULE 1

Provisions coming into force on 30th November 1988

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<i>Provisions of the Act</i>	<i>Subject matter of the provisions</i>
Section 114	Extension of power to require local education authority to defray expenses of establishing controlled school.
Section 214	Unrecognised degrees.
Section 215	Unrecognised degrees: enforcement.
Section 216	Identification of bodies granting or providing courses for recognised awards.
Schedule 13 so far as it relates to the repeal of section 3 of the Education Act 1967 and paragraph 14 of Schedule 3 to the Education Act 1980 and section 237(2) so far as it relates thereto.	Repeals.

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## SCHEDULE 2

Provisions coming into force on 1st April 1989

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<i>Provisions of the Act</i>	<i>Subject matter of the provisions</i>
Section 218	Schools and further and higher education regulations.
Paragraph 68 of Schedule 12 and section 237(1) so far as relating to those provisions.	Amendment to the Local Authorities (Goods and Services) Act 1970.
Schedule 13 so far as it relates to the repeal of section 27 of the Education Act 1980 and paragraph 5 of Schedule 3 to the Education Act 1981 and section 237(2) so far as it relates thereto.	Repeals.

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14th November 1988

*Kenneth Baker*  
Secretary of State for Education and Science

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### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 30th November 1988 sections 214 to 216 of the Education Reform Act 1988. These provisions relate to the new offence of granting awards which may be taken to be degrees of U.K. institutions where the award is not a recognised award for the purposes of those provisions.

Also brought into force on the same date is section 114 which amends section 2 of the Education (Miscellaneous Provisions) Act 1953 (c.33) so as to extend the power of the Secretary of State to require a local education authority to defray the expenses of establishing a controlled school, and the consequential repeal of section 3 of the Education Act 1967 (c.3) and paragraph 14 of Schedule 3 to the Education Act 1980 (c.20). (Section 2 has already been amended by paragraph 8 of Schedule 12 to the 1988 Act, which came into force on 29th July 1988.)

Brought into force on 1st April 1989 is section 218 and the repeal of section 27 of the Education Act 1980 which, with modifications, it replaces. These provisions enable the Secretary of State to make school and further and higher education regulations. On the same date the amendments to the Local Authorities (Goods and Services) Act 1970 (c.39) effected by paragraph 68 of Schedule 12 to the 1988 Act are brought into force. Also brought into force on the same date is the repeal of the amendment to section 61 of the Education Act 1944 (c.31) effected by paragraph 5 of Schedule 3 to the Education Act 1981 (c.60). Section 61 is itself repealed on the same date by virtue of the Education Reform Act 1988 (Commencement No. 2) Order 1988 (S.I. 1988/1794).

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Act have been brought or will be brought into force on the dates specified in the following table:-

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 27, 28 and 32 (all partially) and section 30.	1st September 1988	1988/1459
Sections 26, 27(4) to (8) and 31(2) (all partially).	1st September 1989	1988/1459
Sections 26, 27(4) to (8) and 31(1) (all partially).	4th August 1990	1988/1459
Sections 17 to 19, 131 to 134 (including Schedule 8 to the extent not already in force), 136, 220 and paragraphs 83 to 85 of Schedule 12.	1st November 1988	1988/1794
Sections 121 (except for Southampton Institute of Higher Education) to 130 (including Schedule 7), 135, 219(2)(e), 226, 227(2) to (4), 228 and 229 and paragraphs 64 and 80 of Schedule 12.	21st November 1988	1988/1794
Sections 106 to 111, 117 and 118 and Schedule 13 as regards the repeal of section 61 of the Education Act 1944.	1st April 1989	1988/1794