
STATUTORY INSTRUMENTS

1989 No. 1503

The Education (School Government) Regulations 1989

PART I
GENERAL

Disqualification from membership of governing bodies—criminal convictions

7.—(1) Subject to paragraph (4) a person shall be disqualified for holding, or for continuing to hold, office as a governor of any school if—

- (a) within five years before his appointment or election would otherwise have taken effect or since his appointment or election or, as the case may be, within five years before he would otherwise have become an ex officio governor or while such a governor, he has been convicted, whether in the United Kingdom or elsewhere, of any offence and has had passed on him a sentence of imprisonment (whether suspended or not) for a period of not less than three months without the option of a fine;
- (b) within twenty years before his appointment or election would otherwise have taken effect or, as the case may be, within twenty years before he would otherwise have become an ex officio governor, he has been convicted as aforesaid and has had passed on him a sentence of imprisonment for a period of more than two and a half years; or
- (c) he has at any time been convicted as aforesaid and has had passed on him a sentence of imprisonment of not less than five years.

(2) A person shall be disqualified for holding, or for continuing to hold, office as a governor of any school if within five years before his appointment or election would otherwise have taken effect or since that appointment or election or, as the case may be, within five years before he would otherwise have become an ex officio governor of that school or while such a governor, he has been convicted of an offence under section 40 of the Local Government (Miscellaneous Provisions) Act 1982⁽¹⁾ (nuisance and disturbance on education premises) which took place on the premises of a school (including a grant-maintained school) and has been sentenced to a fine.

(3) Where, by virtue of this regulation, a person becomes disqualified for holding office as a governor of any school of which he is, or was seeking to become, a governor he shall, upon becoming so disqualified, give written notice of the fact to the clerk to the governing body of the school.

(4) For the purposes of this regulation, there shall be disregarded any conviction by or before a court outside the United Kingdom of an offence in respect of conduct which, if it had taken place in any part of the United Kingdom, would not have constituted an offence under the law in force in that part of the United Kingdom.

⁽¹⁾ 1982 c. 30; section 40 was amended by section 46 of the Criminal Justice Act 1982 (c. 48) and by paragraphs 29 and 90 of Schedule 12 to the Education Reform Act 1988 (c. 40).