

SCHEDULE 2

TRANSITIONAL PROVISIONS

PART III

OTHER TRANSITIONAL PROVISIONS.

12. Until the commencement of section 3 of the Act, the duty imposed on the Secretary of State by section 220(3) of the Act to give notice in writing of an order made under that section to the funding authority shall not apply where the school concerned is in England.

13. Until the commencement of Chapter VII of Part II of the Act, section 222(3)(a) of the Act shall have effect as if for “Chapter VII of Part II” there were substituted “section 89 or 91 of the Education Reform Act 1988”.

14. Section 268(2) of the Act shall not have effect to require a local education authority or governing body to indemnify the members of any appeal committee to which that section applies against any legal costs or expenses which are incurred by those members in connection with any decision or action taken by them before 1st January 1994.

15.—(1) Sub-paragraph (2) below applies where—

- (a) a local education authority have before 1st January 1994 submitted a scheme (within the meaning of section 33 of the 1988 Act) to the Secretary of State for his approval in accordance with section 35(3) of that Act (as it had effect before that date); but
- (b) the decision whether or not to approve the scheme has not been made before that date.

(2) Where this sub-paragraph applies the scheme shall be treated after 1st January 1994 as if it were proposals submitted in accordance with section 35(3) of the 1988 Act (as substituted by section 274(2) of the Act).

(3) Where on 1st January 1994 the period of two months has not elapsed since a notice was given in accordance with section 35(7) of the 1988 Act (as it had effect before that date), that notice shall have effect for the purposes of section 35(6) of the 1988 Act (as substituted by section 274 of the Act) as if it were given under subsection (5) of that section (as so substituted).