
STATUTORY INSTRUMENTS

1993 No. 3115

EDUCATION, ENGLAND AND WALES

The Education (Annual Consideration of Ballot on Grant-Maintained Status) (England) Order 1993

<i>Made</i>	- - - -	<i>9th December 1993</i>
<i>Laid before Parliament</i>		<i>10th December 1993</i>
<i>Coming into force</i>	- -	<i>1st January 1994</i>

The Secretary of State for Education, in exercise of the powers conferred by section 24(1) and 301(6) of the Education Act 1993(1), hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Education (Annual Consideration of Ballot on Grant-Maintained Status) (England) Order 1993 and shall come into force on 1st January 1994.

Application of section 24 of the Education Act 1993

2. Section 24 of the Education Act 1993 (“the Act”) shall apply to the governing bodies of all schools in England which are eligible for grant-maintained status in accordance with section 23 of the Act(2), in relation to a school year ending in or after July 1994.

Transitional provisions

3.—(1) A ballot held in accordance with section 61 of the Education Reform Act 1988 before section 28 of the Act comes into force shall be deemed to have been held in accordance with that section for the purposes of section 24(3) of the Act.

(2) The duty under section 24(2) of the Act shall not apply in relation to a school year ending before September 1994 to the governing body of a school which have already considered whether to hold a ballot on the question of grant-maintained status during that school year and before this Order comes into force.

(3) Where the governing body of a school have considered whether to hold a ballot on grant-maintained status during the period specified in paragraph (2) above they shall be deemed to have done so in pursuance of section 24(2) of the Act for the purposes of section 24(4) of the Act.

(1) 1993 c. 35.

(2) Section 23 is not in force at the date of this Order.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

9th December 1993

John Patten
Secretary of State for Education

EXPLANATORY NOTE

(This note is not part of the Order)

Section 24(2) of the Education Act 1993 requires the governing bodies of all schools which are eligible for grant-maintained status and to whom the section applies to consider, at least once in every school year, whether to hold a ballot of parents on the question of whether grant-maintained status should be sought for the school. Under Section 24(1) of that Act the Secretary of State may by order provide for Section 24 to apply to the governing bodies of all schools, or all schools in England or Wales, which are eligible for grant-maintained status. This Order provides for Section 24 to apply to the governing bodies of all schools in England which are eligible for grant-maintained status. Article 3 makes transitional provision for schools which hold a ballot under Section 61 of the Education Reform Act 1988 before Section 28 (ballots for grant-maintained status) of the 1993 Act came into force, or have considered whether to hold such a ballot before this Order came into force.