
STATUTORY INSTRUMENTS

1994 No. 1085

EDUCATION, ENGLAND AND WALES

**The Education (Schools Conducted by Education Associations)
(Initial Articles of Government) (Amendment) Regulations 1994**

<i>Made</i>	- - - -	<i>13th April 1994</i>
<i>Laid before Parliament</i>		<i>18th April 1994</i>
<i>Coming into force</i>	- -	<i>9th May 1994</i>

In exercise of the powers conferred by sections 223(3) and (4) and 301(6) of the Education Act 1993⁽¹⁾, the Secretary of State for Education, as respects England, and the Secretary of State for Wales, as respects Wales, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Education (Schools Conducted by Education Associations) (Initial Articles of Government) (Amendment) Regulations 1994 and shall come into force on 9th May 1994.

Amendment of Regulations

2.—(1) The initial articles of government set out in the Schedule to the Education (Schools Conducted by Education Associations) (Initial Articles of Government) Regulations 1993⁽²⁾ are amended as follows.

(2) For paragraph (1) of Article 4 there is substituted the following paragraph—

“(1) The Education Association and the Headteacher, in exercising their functions with respect to the conduct of the School, shall secure that, where duties are imposed on them under Chapter I of Part I of the 1988 Act relating to the curriculum for the School, they discharge those duties.”.

(3) In Article 4(3)(a) for “the community” there are substituted the words “any community”.

(4) For paragraph (1) of Article 5 there is substituted the following paragraph—

“(1) The Education Association shall make arrangements for the consideration and disposal of complaints relating to any matter concerning the curriculum followed within

(1) 1993 c. 35; for the meaning of “prescribed” and “regulations”, see section 305(1).

(2) S.I.1993/3101.

the School including, in particular, where duties are imposed on the Education Association under Chapter I of Part I of the 1988 Act, the discharge by them of those duties.”.

(5) At the end of Article 7 there is added the following paragraph—

“(5) This Article does not apply where the School is a special school.”.

(6) In paragraphs (1) and (3) of Article 8, after “Where”, there are inserted, in each case, the words “the School is not a special school and”.

(7) At the end of Article 8 there is added the following paragraph—

“(4) Where the School is a special school the Education Association shall admit to the School as a pupil—

(a) any child for whom a local education authority maintain a statement under section 168 of the 1993 Act which names the School; and

(b) any other child whom they consider has special educational needs (within the meaning of section 156 of the 1993 Act) and whom they consider it appropriate, after consulting any local education authority with whom it appears to them that consultation is appropriate, to admit.”.

(8) In Article 13(6), after the reference to Article 14(10), there is inserted “or (10A)”.

(9) In Article 14(1), for “paragraph (10)” there is substituted “paragraphs (10) and (10A)”.

(10) In Article 14(10) after “Where” there are inserted the words “the School is not a special school established in a hospital and”.

(11) After Article 14(10) there is inserted the following paragraph—

“(10A) Where the School is a special school established in a hospital and the Education Association are of the opinion that it would be impracticable to hold an annual parents' meeting in a particular year they may refrain from holding such a meeting.”.

(12) At the beginning of Article 16 there is inserted the following paragraph—

“(1) This Article applies in relation to premises of the School vested in the Education Association.”.

and paragraphs (1) to (12) of that Article are renumbered as paragraphs (2) to (13); and for the references in paragraphs (3) and (5) to paragraph (4) there are substituted references to paragraph (5), for the references in paragraphs (7) and (12)(b) to paragraph (5) there are substituted references to paragraph (6) and for the reference in paragraph (12)(a) to paragraph (8) there is substituted a reference to paragraph (9). (13) For paragraph 2(2) of Appendix 1 to the Schedule to the principal Regulations there is substituted the following—

“(2) Until the entry into force of section 168 of the 1993 Act, Article 8(1)(c) and (4)(a) shall have effect as if the references therein to section 168 of the 1993 Act were references to section 7 of the Education Act 1981(3).”.

11th April 1994

Eric Forth
Parliamentary Under Secretary of State,
Department for Education

13th April 1994

John Redwood
Secretary of State for Wales

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

EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations amend the Education (Schools Conducted by Education Associations) (Initial Articles of Government) Regulations 1993 by amending the initial articles of government for schools conducted by education associations set out in the Schedule to those Regulations for cases where a special school is conducted by an education association.