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STATUTORY INSTRUMENTS

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**1994 No. 2167**

**EDUCATION, ENGLAND AND WALES**

**The Education (Publication of Notices)  
(Special Schools) Regulations 1994**

<i>Made</i>	- - - -	<i>17th August 1994</i>
<i>Laid before Parliament</i>		<i>18th August 1994</i>
<i>Coming into force</i>	- -	<i>8th September 1994</i>

In exercise of the powers conferred on the Secretary of State by sections 72(4), 73(5)(b) 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, commencement and interpretation**

1.—(1) These Regulations may be cited as the Education (Publication of Notices) (Special Schools) Regulations 1994 and shall come into force on 8th September 1994.

(2) In these Regulations—

“the 1993 Act” means the Education Act 1993; and

“hospital special school” means a maintained special school established in a hospital.

**Notice of Governors**

2. Any notice required to be published by section 72(4) or section 73(5)(b) of the 1993 Act (notice of determination of initial governors) shall, in the case of a maintained special school other than a hospital special school, be published by being—

- (a) posted at or near the main entrance to the school, or (if there is more than one main entrance) all of them;
- (b) by being posted in the same place within the area served by the school as that in which the proposals for the school to become a grant-maintained special school as published were posted in accordance with paragraph 1(1)(b) of Schedule 3 to the 1993 Act(2); and

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(1) 1993 c. 35; sections 72(4) and 73(5)(b) of that Act apply in relation to proposals for a maintained special school to become a grant-maintained special school by virtue of regulation 18 of the Education (Grant-maintained Special Schools) Regulations 1994 (S.I. 1994/653, amended by S.I. 1994/1231). For the definitions of “prescribed” and “regulations” see section 305(1).

(2) Paragraph 1(1)(b) of Schedule 3 to the 1993 Act applies in relation to proposals for a maintained special school other than a hospital special school to become a grant-maintained special school by virtue of regulation 5 of the Education (Grant-maintained Special Schools) Regulations 1994 (S.I. 1994/653, amended by S.I. 1994/1231).

- (c) by being made available for inspection at all reasonable times at the same place as that at which those proposals as published were made available for inspection in accordance with paragraph 1(1)(c) of that Schedule(3).
3. Any notice required to be published by section 72(4) or section 73(5)(b) of the 1993 Act shall, in the case of a hospital special school, be published by being—
- (a) posted in the same place within the hospital and the same place within the area served by the school as those in which the proposals for that school to become a grant-maintained special school as published were posted in accordance with paragraph 1(1)(a) of Schedule 3 to the 1993 Act(4); and
- (b) made available for inspection at all reasonable times at the same place as that at which those proposals as published were made available for inspection in accordance with paragraph 1(1)(c) of that Schedule.
4. A notice of the kind referred to in regulations 2 and 3 above shall be published within seven days beginning with the date of, as the case may be, the relevant election, appointment or selection.

15th August 1994

*Eric Forth*  
Minister of State,  
Department for Education

17th August 1994

*Rod Richards*  
Parliamentary Under Secretary of State, Welsh  
Office

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(3) Paragraph 1(1)(c) of Schedule 3 to the 1993 Act applies in relation to proposals for a maintained special school to become a grant-maintained special school by virtue of regulation 5 of the Education (Grant-maintained Special Schools) Regulations 1994 (S.I. 1994/653, amended by S.I. 1994/1231).

(4) In the case of hospital special schools, a substituted paragraph 1(1)(a) of Schedule 3 to the 1993 Act is to apply in relation to proposals for such a school to become a grant-maintained special school by virtue of regulation 5(3)(a) of the Education (Grant-maintained Special Schools) Regulations 1994 (S.I. 1994/653, amended by S.I. 1994/1231).

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

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## **EXPLANATORY NOTE**

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

These Regulations prescribe the manner in which and the time within which notice of the determination of initial governors of a proposed grant-maintained special school is to be published when it is proposed that a maintained special school should become a grant-maintained special school.