
EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 3rd March 1994 provisions of Part III of the Education Act 1993 (which relates to children with special educational needs). These provisions include section 172(1) and (6) (which enables the making of regulations with respect to the frequency of assessments, and reviews of statements of special educational needs); section 186(1), (2) and (4) (which enables the making of regulations providing for maintained special schools to become grant-maintained special schools); and section 187 (which enables the making of regulations under which groups of schools can include grant-maintained special schools).

Also brought into force by the Order on 3rd March 1994 are section 252 of the Education Act 1993 (which enables the Secretary of State by order to transfer to the Curriculum Council for Wales functions of the School Curriculum and Assessment Authority in relation to Wales); and section 278(1) to (5) (which relates to grants for education support and training).

The Order brings into force on 1st April 1994 for all remaining purposes Part I of the Education Act 1993 (which makes provision with respect to responsibility for education) and Part II of that Act (which makes provision with respect to grant-maintained schools). Also brought into force on 1st April 1994 in connection with the commencement of Parts I and II are Schedule 1 (which relates to the funding authorities established under the 1993 Act); Schedule 2 (which makes provision as to the distribution of functions where an order is made under section 12 of the 1993 Act); and Part II of Schedule 3 (which relates to proposals for the establishment of new grant-maintained schools).

Other provisions brought into force by the Order on 1st April 1994 include sections 159, 161(1) to (4), 162, 163 and 166(4) (which make provision as to the functions to be exercised by certain bodies in relation to special educational provision and children with special educational needs); sections 182, 183, 184, 185, 186(3), 188, 189 and 191 and Schedule 11 (which relate to special schools); sections 254 to 258 (which make provision with respect to the provision of religious education); and sections 296 and 297 (which make provision with respect to education committees and joint education committees established by local education authorities).

The Order also contains transitional provisions. Part I of Schedule 3 contains transitional provisions consequential on the commencement of the remainder of Parts I and II of the Education Act 1993. Part II of Schedule 3 contains transitional provisions relating to the other provisions of the 1993 Act brought into force by this Order on 1st April 1994.