

SCHEDULE

MODIFICATION OF THE 1996 Act

Cases where parental preference need not be complied with: county and voluntary schools

- 1.—(1) Section 411 of the 1996 Act shall have effect with the following modifications.
- (2) After subsection (3) there shall be inserted the following new subsection

“(3A) For the purposes of subsection (3)(a) prejudice of the kind referred to in that provision may arise by reason of any qualifying measures.”.
- (3) After subsection (9)(1) there shall be inserted the following new subsection—

“(10) In this Chapter “qualifying measures”, in relation to the admission of a child to a school, means measures required to be taken (whether in the school year in which the admission would take place or in any subsequent school year) in order to ensure compliance with the duty imposed by section 1(6) of the School Standards and Framework Act 1998 (duty of local education authority and governing body to comply with limit on class sizes).”.
- (4) This paragraph applies at any relevant time falling before the commencement of section 86(4) of the 1998 Act.

(1) Section 411(9) of the 1996 Act was inserted by paragraph 31 of Schedule 7 to, the Education Act 1997 (c. 44).