

## SCHEDULE

### MODIFICATION OF THE 1996 Act

#### *Decision on application to reduce relevant standard number: county and voluntary schools*

**10.**—(1) Paragraph 5 of Schedule 32 to the 1996 Act shall have effect with the following modifications.

(2) In sub-paragraph (2), at the beginning there shall be inserted “Subject to sub-paragraph (3A)”.

(3) After sub-paragraph (3) there shall be inserted the following new sub-paragraph

“(3A) Where

- (a) an application is for an order reducing any standard number applicable to admissions to an infant class, and
- (b) the Secretary of State is satisfied that the admission to the school in any school year of a number of children in any relevant age group equal to the relevant standard number would cause prejudice of the kind referred to in section 411(3)
  - (a) by reason of any qualifying measures,

the Secretary of State shall make an order reducing the standard number by the smallest number which he considers sufficient to avoid such prejudice arising.”.

(4) This paragraph applies at any relevant time falling before the commencement of paragraph 6(5) of Schedule 23 to the 1998 Act (in relation to any school in England), or paragraph 10(5) of that Schedule (in relation to any school in Wales).