

SCHEDULE

MODIFICATION OF THE 1996 Act

Cases where parental preferences need not be complied with: grant-maintained schools

3.—(1) After section 425A of the 1996 Act⁽¹⁾, there shall be inserted the following new section

“**425B.**—(1) An application for the admission of a child to a grant-maintained school may be refused on the grounds that his admission would prejudice the provision of efficient education or the efficient use of resources at the school.

(2) For the purposes of subsection (1) prejudice of the kind referred to in that provision may arise by reason of any qualifying measures.

(3) No prejudice shall, however, be taken to arise from the admission of a child to the school if, were he to be admitted to the school, the number of pupils within the relevant age group to which he would be admitted in the school year in which he would be admitted would not exceed the number of pupils intended to be admitted to the school in that age group in that year.”.

(2) This paragraph applies at any relevant time falling before the commencement of section 86(3) to (5) of the 1998 Act.

(1) Section 425A of the 1996 Act was inserted by section 14(1) of the Education Act 1997 (c. 44).