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STATUTORY INSTRUMENTS

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**1998 No. 2115**

**EDUCATION, ENGLAND AND WALES**

**The School Standards and Framework Act  
1998 (School Teachers' Pay and Conditions)  
(Transitional Provisions) Regulations 1998**

<i>Made</i>	- - - -	<i>27th August 1998</i>
<i>Laid before Parliament</i>		<i>27th August 1998</i>
<i>Coming into force</i>	- -	<i>1st September 1998</i>

In exercise of the powers conferred on the Secretary of State by section 144(1) and (2)(g) of the School Standards and Framework Act 1998<sup>(1)</sup>, the Secretary of State for Education and Employment hereby makes the following Regulations:—

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the School Standards and Framework Act 1998 (School Teachers' Pay and Conditions) (Transitional Provisions) Regulations 1998, and shall come into force on 1st September 1998.

(2) In these Regulations—

“the 1991 Act” means the School Teachers' Pay and Conditions Act 1991<sup>(2)</sup>; and

“the 1998 Act” means the School Standards and Framework Act 1998.

**Orders made before 1st September 1998**

2. Paragraph 7 of Schedule 32 to the 1998 Act shall apply in the period ending immediately before the appointed day<sup>(3)</sup> with the following modification, namely sub-paragraph (b) and the word “and” preceding it shall be omitted.

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(1) 1998 c. 31.

(2) 1991 c. 49.

(3) The “appointed day” is defined in section 20(7) of the School Standards and Framework Act 1998. S.I.1998/2083 prescribes the appointed day as 1st September 1999.

### **Orders made on or after 1st September 1998**

3. The amendment made by section 13 of the 1998 Act shall not affect the operation of section 3 of the 1991 Act, as in force immediately before that amendment comes into force, in relation to the making of an order under the said section 3 pursuant to an application for exemption—

- (a) made under subsection (1) of that section; and
- (b) received by the Secretary of State in the period commencing on 1st September 1998 and ending on 31st March 1999.

4.—(1) Paragraph 7 of Schedule 32 to the 1998 Act shall apply in relation to an order made under section 3 of the 1991 Act by virtue of regulation 3 above with the modifications set out in paragraph (2) of this regulation.

(2) The modifications referred to in paragraph (1) of this regulation are that there shall be substituted—

- (a) in the period ending immediately before the appointed day, for sub-paragraphs (a) and (b), and
- (b) in the period commencing on the appointed day, for sub-paragraph (a),

the following words or sub-paragraph, as the case may be—

“was made by virtue of regulation 3 of the School Standards and Framework Act 1998 (School Teachers' Pay and Conditions) (Transitional Provisions) Regulations 1998”.

27th August 1998

*Tessa Blackstone*  
Minister of State,  
Department of Education and Employment

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## EXPLANATORY NOTE

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

These Regulations make transitional provision in consequence of the commencement of section 13 of the School Standards and Framework Act 1998. Section 13 substitutes a new section 3 of the School Teachers' Pay and Conditions Act 1991. The regulations modify paragraph 7 of Schedule 32 to the 1998 Act, which makes transitional provision arising from the amendment made by section 13. The effect of the transitional provision in these Regulations is as follows:–

- (a) in relation to an order already made under section 3 before 1st September 1998, paragraph 7 of Schedule 32 is modified so that, for the period ending immediately before the appointed day (1st September 1999), it applies to any orders already so made (regulation 2);
- (b) further orders may be made under section 3, as in force before the amendment made by section 13 of the 1998 Act, if an application is made to the Secretary of State by 31st March 1999 (regulation 3), and paragraph 7 of Schedule 32 is modified so as to apply to such orders (regulation 4).