
STATUTORY INSTRUMENTS

1999 No. 2163

**The Education (School Government)
(England) Regulations 1999**

PART I

INTRODUCTION

Citation, commencement and application

1.—(1) These Regulations may be cited as the Education (School Government) (England) Regulations 1999.

(2) These Regulations shall come into force on 1st September 1999, except for regulation 22(1), 29(11) and 51(3) which shall come into force on 1st April 2000.

(3) These Regulations apply in relation to maintained schools and new schools in England.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“the 1996 Act” means the Education Act 1996(1);

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

“additional co-opted governor” means a co-opted governor required by virtue of paragraph 15 of Schedule 9 to the 1998 Act;

“co-opted governor” includes an additional co-opted governor;

“employed to work” means employed under a contract of employment or a contract for services;

“employee of the local education authority” means a person employed by the local education authority in connection with their functions as a local education authority;

“the First Transitional Regulations” means the Education (School Government) (Transition to New Framework) Regulations 1998(2);

“the head teacher”, if there is more than one head teacher of the school in accordance with the Education (Head Teachers) Regulations 1999(3), means any head teacher of the school;

“maintained school” means a community, community special, voluntary, foundation or foundation special school;

“new school” means a maintained school or proposed such school for which there is a temporary governing body constituted under section 44 of the 1998 Act, a transitional governing body treated as so constituted by virtue of regulation 13(5) of the School

(1) 1996 c. 56.

(2) S.I.1998/2763.

(3) S.I. 1999/1287.

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Organisation Regulations, or a temporary governing body treated as so constituted by virtue of regulation 13 of the School Organisation Regulations;

“School Organisation Regulations” means the Education (Transition to New Framework) (School Organisation Proposals) Regulations 1999(4);

“the Second Transitional Regulations” means the Education (Transition to New Framework) (New Schools, Groups and Miscellaneous) Regulations 1999(5);

“selection panel” means a selection panel for the appointment of head teachers or deputy head teachers constituted under paragraph 6 of Schedule 16 or paragraph 7 of Schedule 17 to the 1998 Act.

(2) Except where the context otherwise requires, the expressions used in these Regulations set out in the first column of the table below have the meaning given by (or, as the case may be) are to be interpreted in accordance with, the provisions referred to in the second column of that table:

“appropriate diocesan authority” (in relation to a Church of England or Roman Catholic Church school)	section 142(1) and (4) of the 1998 Act;
“Education Action Forum”	section 11(2) of the 1998 Act;
“education action zone”	section 10(1) of the 1998 Act;
“have a delegated budget”	section 49(7) of the 1998 Act;
“instrument of government”	section 37(1) of the 1998 Act;
“representative governor”	paragraph 10 of Schedule 9 to the 1998 Act;
“school year”	section 579(1) of the 1996 Act;
“temporary governing body” and “temporary governors”	section 44 of the 1998 Act, regulation 13(5) of the School Organisation Regulations and regulation 13 of the School Organisation Regulations.

- (3) Unless the context otherwise requires, any reference in these Regulations to—
- (a) a numbered Part, regulation or Schedule is a reference to the Part, regulation or Schedule in these Regulations so numbered;
 - (b) a numbered paragraph is a reference to the paragraph so numbered in the regulation or Schedule in which the reference appears; and
 - (c) a numbered sub-paragraph is a reference to the sub-paragraph so numbered in the paragraph in which the reference appears.

Interpretation of “governing body”

3. Unless the context otherwise requires, any reference in these Regulations to the governing body, is a reference to the governing body or temporary governing body (however constituted(6)) of any school or (as the case may be) new school to which the provision applies, and any reference to a governor is a reference to a member of such a governing body.

(4) S.I. 1999/704.

(5) S.I. 1999/362.

(6) See for the purposes of the composition of governing bodies on transition to the new schools framework, regulations 18 and 19 of the First Transitional Regulations, regulations 13, 30 and 49 of the School Organisation Regulations and regulation 13 of the School Organisation Regulations.

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