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STATUTORY INSTRUMENTS

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**2000 No. 2198**

**The Education (School Organisation Proposals)  
(England) (Amendment) Regulations 2000**

**Amendment**

8. After regulation 19 there shall be inserted the following regulations—

**“Unimplemented statutory proposals**

**20.—**(1) Where a school changes category in accordance with Schedule 8 to the Act and there are statutory proposals falling to be implemented under paragraph 5 of Schedule 6 to the Act in respect of that school which have not been implemented then—

- (a) in the case of a school which has changed category to become a community or community special school, the proposals shall, to the extent that they have not been implemented, be implemented by the local education authority;
- (b) in the case of a school which has changed category from a community or community special school, the proposals shall, to the extent that they have not been implemented, be implemented by the local education authority and, in the case of a school which becomes a foundation special school, paragraph 16 of Schedule 6 to the 1996 Act shall apply;
- (c) in the case of a school which has changed category from a foundation or voluntary controlled school to become a voluntary aided school, the proposals shall continue to be implemented by the local education authority, promoters and governing body (as the case may be) as if the school had remained a foundation or voluntary controlled school, and paragraph 16 of Schedule 6 to the Act shall apply in respect of that school;
- (d) in the case of a school which has changed category from a voluntary aided school to become a foundation or voluntary controlled school, the proposals shall, to the extent that they have not been implemented, be implemented by the local education authority, and paragraph 16 of Schedule 6 to the Act shall apply in respect of that school.

(2) Nothing in paragraph (1) requires a local education authority to provide any premises which are already part of the premises of the school.

**21.—**(1) A local education authority who are under a duty to implement statutory proposals under regulation 20(1)(a), (b) or (d) are prescribed for the purposes of paragraph 5(2) of Schedule 6 or, as the case may be, that sub-paragraph as applied by paragraph 5(7) of that Schedule, and accordingly a school organisation committee or an adjudicator may modify such proposals or specify a later date at the request of that local education authority.

(2) Before modifying any such proposals a school organisation committee or an adjudicator shall consult the local education authority and the governing body of the school.

(3) Paragraph 5(4) and (5) of Schedule 6 to the Act shall apply as if the reference to “the body or promoters who published the proposals referred to in sub-paragraph (1)(a) or (b)”

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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included a reference to the local education authority who are under a duty to implement those proposals under regulation 20(1)(a), (b) or (d).”.