
EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations set out the procedure to be followed when the Secretary of State designates an independent school as having a religious character in an order under section 69(3) of the School Standards and Framework Act 1998 as applied to independent schools by section 124B. Section 124B(2) of the School Standards and Framework Act 1998 provides that an order under section 69(3) shall specify the religion or religious denomination in accordance with whose tenets education is provided at the school or the school is conducted.

Regulation 4 provides that an independent school's proprietor must apply to the Secretary of State for an order under section 69(3) and sets out what that application must include. The Secretary of State may consult any religious body which he considers appropriate regarding the school's application.

Regulation 5(1) sets out the circumstances in which the Secretary of State must make an order designating the independent school as having a religious character. Regulation 5(2) sets out the circumstances in which the Secretary of State may make an order designating the independent school as having religious character.

Regulation 6 provides that the Secretary of State must amend a designation order in respect of a school if he is satisfied that it is materially incorrect and when he must consult the proprietor of the school in connection with such an amendment.

A statement in relation to a school that the religious denomination is Roman Catholic does not determine whether or not the school is a Catholic School according to canon law.