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STATUTORY INSTRUMENTS

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**2005 No. 1731**

**The Education (Change of Category of Maintained Schools) (Amendment) (England) Regulations 2005**

**Amendment of the Principal Regulations**

5. After regulation 4(2) there shall be inserted—

“(3) Subject to paragraph (5), where a governing body propose under paragraph 2 of Schedule 8 to the Act that either a community secondary, or a voluntary controlled secondary school should become a foundation secondary school, sections 28(3), 28(5), 28(6) and 28(8) of and Part I of Schedule 6 to the Act shall apply to the proposals published under paragraph 2 of Schedule 8 of the Act and shall do so with the modifications set out in Schedule 2A.

(4) The provisions of section 28 of and Part I of Schedule 6 to the Act so applied are set out as modified in Schedule 2B.

(5) If at the time when the proposals are published, sections 15 or 17 of, or section 51 of or Schedule 15 to the Act apply to the school, paragraph (3) shall not apply and accordingly paragraph (1) shall apply.”