

2006 No. 3409

EDUCATION, ENGLAND

**The Education (Infant Class Sizes) (England) (Amendment)
Regulations 2006**

<i>Made</i>	- - - -	<i>16th December 2006</i>
<i>Laid before Parliament</i>		<i>29th December 2006</i>
<i>Coming into force</i>	- -	<i>27th February 2007</i>

The Secretary of State for Education and Skills makes the following Regulations in exercise of the powers conferred by sections 1 and 138(7) of the School Standards and Framework Act 1998(a):

Citation, commencement and application

1.—(1) These Regulations may be cited as The Education (Infant Class Sizes) (England) (Amendment) Regulations 2006 and come into force on 27th February 2007.

(2) These Regulations apply only in relation to England.

Amendment of The Education (Infant Class Sizes) (England) Regulations 1998

2. The Education (Infant Class Sizes) (England) Regulations 1998(b) are amended as follows.

(1) After paragraph 2 of the Schedule insert—

“2A. This paragraph applies at any time during the admission school year to any child who is looked after by a local authority (within the meaning of section 22(1) of the Children Act 1989(c)) and is admitted to the school outside the normal admission round.”

(2) In paragraph 5 of the Schedule—

(a) at the start of sub-paragraph (1) insert “Subject to sub-paragraph (3),”; and

(b) after sub-paragraph (2) insert—

“(3) A child shall not be an excepted child under this paragraph unless the LEA has confirmed in writing that it is satisfied the child fulfils the criteria listed in sub-paragraph (1)(a).”

(3) In paragraph 8 of the Schedule for “3” substitute “2A”.

16th December 2006

Jim Knight
Minister of State
Department for Education and Skills

(a) 1998 c.31.
(b) SI 1998/1973.
(c) 1989 c.41.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Infant Class Sizes) (England) Regulations 1998 and come into force on 27th February 2007.

They make two amendments to the categories of excepted pupils set out in the Schedule to the Regulations.

First, they add a new category - looked after children who are admitted to schools outside a normal admission round.

Second, they amend an existing category - those for whom there are no other suitable schools within a reasonable distance from their home - by providing that a pupil cannot be treated as falling within this category unless the relevant LEA confirms that he does.

The Department considers that these Regulations will have no effect on the costs of businesses and accordingly a Regulatory Impact Assessment has not been prepared.

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