

2007 No. 600

CHILDREN AND YOUNG PERSONS, ENGLAND

EDUCATION, ENGLAND

**The Office for Standards in Education, Children's Services and
Skills and Her Majesty's Chief Inspector of Education,
Children's Services and Skills (Allocation of Rights and
Liabilities) Order 2007**

Made - - - - - *28th February 2007*

Laid before Parliament *7th March 2007*

Coming into force - - - *1st April 2007*

The Secretary of State for Education and Skills, in exercise of the powers conferred by paragraph 8(3) of Schedule 12 to the Education and Inspections Act 2006(a), makes the following Order:

Citation and commencement

1. This Order may be cited as the Office for Standards in Education, Children's Services and Skills and Her Majesty's Chief Inspector of Education, Children's Services and Skills (Allocation of Rights and Liabilities) Order 2007 and comes into force on 1st April 2007.

Allocation of rights and liabilities relating to functions, staff and property of the Office

2.—(1) Any responsibilities relating to rights and liabilities relating to functions, staff and property of the Office are the responsibilities of the Office, and the Office has responsibility for the conduct of any legal proceedings in relation to those rights and liabilities.

(2) But any responsibilities in relation to rights and liabilities (including the conduct of legal proceedings) relating to powers of the Office exercisable only by the Chief Inspector acting on behalf of the Office are responsibilities of the Chief Inspector in her capacity as a member of the Office.

Allocation of rights and liabilities relating to functions of the Chief Inspector as holder of the office of Chief Inspector

3. Any responsibilities in relation to the rights and liabilities (including the conduct of legal proceedings) relating to functions conferred on the Chief Inspector in her capacity as holder of the office of Chief Inspector are the responsibilities of the Chief Inspector in that capacity.

(a) 2006 c. 40.

28th February 2007

Jim Knight
Minister of State
Department for Education and Skills

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision for the allocation of rights and liabilities as between the Office for Standards in Education, Children's Services and Skills ("the Office") and Her Majesty's Chief Inspector of Education, Children's Services and Skills ("the Chief Inspector").

Responsibility for rights or liabilities relating to functions, staff and property of the Office is that of the Office, save where those rights and liabilities relate to powers of the Office only exercisable by the Chief Inspector (see the provisions relating to staff and property in paragraphs 6 and 12 of Schedule 11 to the Education and Inspections Act 2006 (c. 40)), in which case the rights and liabilities are those of the Chief Inspector so acting and in her capacity as a member of the Office.

Any rights and liabilities relating to functions conferred on the Chief Inspector in her capacity as holder of the office of Chief Inspector are the responsibility of the Chief Inspector in that capacity.

In any of these cases, responsibility in relation to rights and liabilities includes the conduct of any legal proceedings.

£3.00

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E0292 3/2007 170292T 19585