

**2010 No. 1920**

**EDUCATION, ENGLAND**

**The Education (Short Stay Schools) (Closure) (England)  
(Amendment) Regulations 2010**

<i>Made</i>	- - - -	<i>27th July 2010</i>
<i>Laid before Parliament</i>		<i>30th July 2010</i>
<i>Coming into force</i>	- -	<i>1st September 2010</i>

The Secretary of State for Education makes the following Regulations in exercise of the powers conferred by section 569(4) of, and paragraph 3A of Schedule 1 to, the Education Act 1996(a):

**Citation and commencement**

1. These Regulations may be cited as the Education (Short Stay Schools) (Closure) (England) (Amendment) Regulations 2010 and come into force on 1st September 2010.

**Transitional provision: references to “short stay school”**

2. Until the coming into force of section 249(1) of the Apprenticeships, Skills, Children and Learning Act 2009(b) the Education (Short Stay Schools) (Closure) (England) Regulations 2010(c) have effect with the following modifications—

- (a) references to a “short stay school” or “short stay schools” wherever they occur are to be read as references to a “pupil referral unit” or “pupil referral units” respectively;
- (b) in regulation 7, references to “the school” are to be read as references to “the unit”.

27th July 2010

*Nick Gibb*  
Minister of State  
Department for Education

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(a) 1996 c.56. Paragraph 3A of Schedule 1 was inserted by section 249(3) of the Apprenticeships, Skills, Children and Learning Act 2009 (c.22). Section 249(3) will come into force on 1st September 2010.

(b) 2009 c.22. S.I 2010/303 was to bring section 249 of the Apprenticeships, Skills, Children and Learning Act 2009 into force in its entirety on 1 September 2010. S.I 2010/303 has been amended by SI 2010/1891(C. 99) which provides that section 249(1) and (2) will not now come into force on 1 September 2010 and that a transitional provision will apply to section 249(3) so that any reference in paragraph 3A of Schedule 1 to the Education Act 1996 to a short stay school or short stay schools will be read as a reference to a pupil referral unit or units until section 249(1) of the Apprenticeships, Skills, Children and Learning Act 2009 comes into force.

(c) S.I 2010/1071.

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Education (Short Stay Schools) (Closure) (England) Regulations 2010 (“the 2010 Regulations”).

Section 249(1) of the Apprenticeships, Skills, Children and Learning Act 2009 changes the name of pupil referral units in England to short stay schools and was to come into force on 1 September 2010 but its coming into force has been delayed. In consequence these Regulations make transitional provision providing that references in the 2010 Regulations to a short stay school or schools are to be read as references to a pupil referral unit or units until section 249(1) comes into force.

A full regulatory impact assessment of the effect of the Education (Short Stay Schools) (Closure) (England) Regulations 2010 was carried out during the passage of the Apprenticeships, Skills, Children and Learning Act 2009 and relevant extracts are annexed to the Explanatory Memorandum for those regulations. The full impact assessment is available from Lesley Hollick, Exclusions and Alternative Provision Team, Department for Education - [lesley.hollick@education.gsi.gov.uk](mailto:lesley.hollick@education.gsi.gov.uk)

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