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STATUTORY INSTRUMENTS

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**2012 No. 1035**

**The School Governance (Federations)  
(England) Regulations 2012**

**PART 8**

**DISCONTINUANCE OF FEDERATED SCHOOLS**

**Dissolution of federations on discontinuance of federated schools**

**41.**—(1) This regulation applies where one or more federated schools are to be discontinued and only one federated school in the federation is not to be discontinued.

(2) The governing body of the federation must inform the Secretary of State of the discontinuance at least 2 months before the discontinuance takes place.

(3) The local authority must before the discontinuance date—

(a) establish a temporary governing body in respect of the school that is not to be discontinued (“the de-federated school”) in accordance with Parts 3 and 4 of the New Schools Regulations; and

(b) issue a new instrument of government for the school in accordance with Part 5 of the Constitution Regulations 2012.

(4) On the dissolution date the temporary governing body of the de-federated school are incorporated as the governing body of that school under the name given in the school’s instrument of government.

(5) Where any land held by the federated governing body for the purposes of the de-federated school is, by virtue of either paragraph 7 of Schedule 22 to the SSFA 1998 or paragraph 13 of Schedule 1 to AA 2010, transferred to and vested in the local authority on the dissolution of the federated governing body, the local authority must within 6 months of the dissolution, transfer the land to the temporary governing body referred to in paragraph 3(a).