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STATUTORY INSTRUMENTS

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**2016 No. 608**

**The Education (Pupil Referral Units) (Application of Enactments) (England) (Amendment) Regulations 2016**

**Amendment of Schedule 1 to the Education (Pupil Referral Units) (Application of Enactments) (England) Regulations 2007**

5. After paragraph 23D insert—

**“23DA.—**(1) Section 5B(1) of that Act (Duty to facilitate conversion) applies in relation to units as it applies in relation to maintained schools with the following modifications.

(2) Subsection (1) has effect as if—

- (a) the words “or (1)(b)” were omitted,
- (b) for “school” in each place where the word occurs there were substituted “unit”,
- (c) for “the governing body” there were substituted “the management committee”,
- (d) for “the local authority” there were substituted “the local authority that maintains the unit”, and
- (e) for “into an Academy” there were substituted “into an alternative provision Academy”.

(3) Subsection (2) has effect as if for “the governing body” there were substituted “the management committee”.

**23DB.—**(1) Section 5C of that Act (Power to give directions to do with conversion) applies in relation to units as it applies in relation to maintained schools with the following modifications.

(2) Subsection (1) has effect as if—

- (a) the words “or (1)(b)” were omitted,
- (b) for “school” in each place where the word occurs there were substituted “unit”,
- (c) for “the governing body” there were substituted “the management committee”,
- (d) for “the local authority” there were substituted “the local authority that maintains the unit”, and
- (e) for “into an Academy” there were substituted “into an alternative provision Academy”.

(3) Subsection (2) has effect as if for “the governing body” there were substituted “the management committee”.

**23DC.** Section 5D of that Act (Power to revoke Academy orders) applies in relation to units as it applies in relation to maintained schools with the modification that subsection (1) has effect as if the words “or (1)(b)” were omitted.

**23DD.**—(1) Section 5E of that Act (Duty to communicate information about plans to improve school) applies in relation to units as it applies in relation to maintained schools with the following modifications.

(2) Subsection (1) has effect as if—

- (a) for “maintained school” there were substituted “unit”,
- (b) for “Academy” there were substituted “alternative provision Academy”, and
- (c) for “the school” there were substituted “the unit”.

(3) Subsection (2) has effect as if—

- (a) for “the Academy” there were substituted “the alternative provision Academy”, and
- (b) for subsection (2)(b) there were substituted—
  - “(b) a unit is “causing concern” if the circumstances in relation to maintained schools as set out in section 61 or section 62 of the Education and Inspections Act 2006 apply in relation to the unit.””