

2021 No. 992

EDUCATION, ENGLAND

The School Admissions (England) (Coronavirus) (Appeals Arrangements) (Amendment) (No. 2) Regulations 2021

<i>Made</i>	- - - -	<i>6th September 2021</i>
<i>Laid before Parliament</i>		<i>8th September 2021</i>
<i>Coming into force</i>	- -	<i>30th September 2021</i>

The Secretary of State for Education, in exercise of the powers conferred by sections 94(5) and (5A), 95(3) and (3A) and 138(7) of the School Standards and Framework Act 1998(a) makes the following Regulations.

Citation, commencement, extent and application

1.—(1) These Regulations may be cited as the School Admissions (England) (Coronavirus) (Appeals Arrangements) (Amendment) (No. 2) Regulations 2021 and come into force on 30th September 2021.

(2) These Regulations extend to England and Wales.

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

Amendment to the School Admissions (England) (Coronavirus) (Appeals Arrangements) (Amendment) Regulations 2020

2.—(1) The School Admissions (England) (Coronavirus) (Appeals Arrangements) (Amendment) Regulations 2020(b) are amended as follows.

(2) In each of regulation 2, 3(2) and 5 for “30th September 2021” substitute “30th September 2022”.

(3) In regulation 5, for “1st October 2021” substitute “1st October 2022”.

6th September 2021

Nick Gibb
Minister of State
Department for Education

(a) 1998 c. 31; section 94(5) and (5A) was substituted by section 50 of the Education Act 2002 (c. 32) and subsection (5A) was amended by section 152 of the Education and Skills Act 2008 (c. 25) and S.I. 2010/1158. Section 95(3) and (3A) was substituted by section 51 of and paragraph 9 of Schedule 4 to the Education Act 2002. Subsection (3A) was amended by S.I. 2010/1158. Section 138(7) was amended by section 175 of and paragraph 3(1) and (4) of Schedule 17 to the Education and Inspections Act 2006 (c. 40).

(b) S.I. 2020/446, amended by S.I. 2021/14.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the School Admissions (England) (Coronavirus) (Appeals Arrangements) (Amendment) Regulations 2020 (“the 2020 Amendment Regulations”).

The 2020 Amendment Regulations amended the School Admissions (Appeals Arrangements) (England) Regulations 2012 (“the 2012 Regulations”) for a temporary period. Where it was not reasonably practicable for certain existing constitutional and procedural requirements relating to school admissions appeals to be complied with for a reason related to the incidence or transmission of coronavirus, other more flexible constitutional and procedural requirements were made available. Provision was made for various timelines to apply in respect of appeals to ensure that reasonable timelines could be set during the period of operation of the 2020 Amendment Regulations. Regulation 2 extends the duration of the operation of the 2020 Amendment Regulations, by:

— amending regulation 2 of the 2020 Amendment Regulations by substituting a new expiry date for appeals lodged so that the 2020 Amendment Regulations apply to appeals lodged on or after 24th April 2020, but on or before 30th September 2022 (in substitution for 30th September 2021);

— amending regulation 3(2) of the 2020 Amendment Regulations by substituting for the expiry date of 30th September 2021 a new expiry date of 30th September 2022; and

— amending regulation 5 of the 2020 Amendment Regulations. Subject to regulation 4 of the 2020 Amendment Regulations, the 2012 Regulations will continue to apply as though the amendments made by the 2020 Amendment Regulations had not been made to appeals lodged: (a) on or after 1st October 2022 (in substitution for 1st October 2021); and (b) on or before 30th September 2022 and which have not been decided (in substitution for 30th September 2021).

The 2020 Amendment Regulations were previously amended by the School Admissions (England) (Coronavirus) (Appeals Arrangements) (Amendment) Regulations 2021 (“the 2021 Amendment Regulations”) which extended the duration of the operation of the 2020 Amendment Regulations until 30th September 2021. The 2021 Amendment Regulations cease to have effect when the School Admissions (England) (Coronavirus) (Appeals Arrangements) (Amendment) (No.2) Regulations 2021 come into force.

An explanatory memorandum is published alongside these Regulations on www.legislation.gov.uk. Hard copies are available from the Department for Education, Sanctuary Buildings, Great Smith Street, London SW1P 3BT.

A full impact assessment has not been produced for this instrument as no or no significant impact on the private, voluntary or public sector is foreseen.

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