

SCHEDULE 4

Transfer of land

Part II

Rules relating to transfers

12.—(1) Sub-paragraph (2) applies where any proposals that a voluntary controlled school which is not part of a group for which a foundation body acts should become a community school have been approved under paragraph 8 of modified Schedule 6 to the Act.

(2) Where this sub-paragraph applies—

- (a) any publicly funded land which, immediately before the implementation date, was held by the trustees of the school or the governing body for the purposes of the voluntary controlled school shall on that date be transferred to, and by virtue of this paragraph vest in, the local education authority; and
- (b) any other land which, immediately before that date, was held by the trustees of the school or the governing body for the purposes of the voluntary controlled school shall be transferred to and vest in the local education authority in accordance with a transfer agreement.

(3) Sub-paragraph (3) applies where any proposals that a voluntary controlled school which is part of a group for which a foundation body acts should become a community school have been approved under paragraph 8 of modified Schedule 6 to the Act.

(4) Where this sub-paragraph applies—

- (a) any publicly funded land which, immediately before the implementation date, was held by the foundation body for the purposes of the schools in the group and used for the purposes of the voluntary controlled school shall on that date be transferred to, and by virtue of this paragraph vest in, the local education authority; and
- (b) any other land which, immediately before that date, was held by the foundation body for the purposes of the schools in the group and used for the purposes of the voluntary controlled school shall be transferred to and vest in the local education authority in accordance with a transfer agreement.