

## SCHEDULE 4

### IMPLEMENTATION OF PROPOSALS TO CHANGE CATEGORY OF SCHOOL

#### PART 3

#### TRANSFER OF LAND

##### *Transfer of right to use land*

- 29 (1) Sub-paragraph (2) applies if—
- (a) paragraph 14, 15, 19, 20, 24 or 25 applies to a school,
  - (b) any land held by a person or body other than any trustees or foundation body who hold any land for the purposes of the school was, immediately before the implementation date, used for the purposes of the school, and
  - (c) the trustees or foundation body enjoyed or incurred any rights or liabilities immediately before the implementation date in connection with the use of the land.
- (2) Those rights and liabilities are, on the implementation date, to be transferred to, and vest in, the local authority in accordance with a transfer of rights and liabilities agreement.
- (3) A “transfer of rights and liabilities agreement” means an agreement—
- (a) made for the purposes of sub-paragraph (2) between the local authority and the trustees or foundation body, and
  - (b) providing for the rights or liabilities in question to be transferred to, and vest in, the authority on the implementation date, whether or not in consideration of the payment by the authority of such amount as may be agreed between the parties.