

**Changes to legislation:** Academies Act 2010, SCHEDULE 2 is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 2

Section 14

#### ACADEMIES: AMENDMENTS

##### *Education Act 1996 (c. 56)*

1 EA 1996 is amended as follows.

#### Commencement Information

**I1** Sch. 2 para. 1 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

2 In section 337(b) (special schools not maintained by local authorities) after “approved under section 342” insert “ or is an Academy ”.

#### Commencement Information

**I2** Sch. 2 para. 2 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

3 In section 349(1) (variation of trust deeds etc by order) after “imposed by” insert “ — (a) ” and after “section 342” insert “ , or  
“(b) Academy arrangements.”

#### Commencement Information

**I3** Sch. 2 para. 3 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

4 In section 482 (Academies) omit subsections (1) to (5).

#### Commencement Information

**I4** Sch. 2 para. 4 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

5 Section 483 (financial provisions) is repealed.

#### Commencement Information

**I5** Sch. 2 para. 5 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

6 In section 579(1) (general interpretation of Act) before the definition of “assist” insert—

““Academy” means a school to which Academy arrangements relate;

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“Academy arrangements” has the meaning given by section 1 of the Academies Act 2010;

“Academy order” means an order under section 4 of that Act;”.

**Commencement Information**

**I6** Sch. 2 para. 6 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

- 7 In section 580 (index)—
- (a) in the entry for “Academy” for “section 482” substitute “ section 579(1) ”;
  - (b) after that entry insert—

“Academy arrangements	Section 579(1)
Academy order	Section 579(1)”

**Commencement Information**

**I7** Sch. 2 para. 7 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

- 8 In Schedule 35A (Academies: land) omit paragraphs 1, 8 to 10 and 11(a) to (e).

**Commencement Information**

**I8** Sch. 2 para. 8 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

*School Standards and Framework Act 1998 (c. 31)*

- 9 In section 82(1) of SSFA 1998 (modification of trust deeds etc by order) for “or the Education and Inspections Act 2006” substitute “ , the Education and Inspections Act 2006 or the Academies Act 2010 ”.

**Commencement Information**

**I9** Sch. 2 para. 9 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

*Freedom of Information Act 2000 (c. 36)*

- 10 In Part 4 of Schedule 1 to the Freedom of Information Act 2000 (public authorities: maintained schools and other educational institutions) after paragraph 52 insert—
- “52A (1) The proprietor of an Academy, in respect of information held for the purposes of the proprietor's functions under Academy arrangements.
- (2) In sub-paragraph (1)—
- “Academy arrangements” has the meaning given by section 1 of the Academies Act 2010;
- “proprietor” has the meaning given by section 579(1) of the Education Act 1996.”

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- I10** Sch. 2 para. 10 in force at 1.9.2010 for specified purposes by S.I. 2010/1937, art. 3, Sch. 2  
**I11** Sch. 2 para. 10 in force at 1.1.2011 in so far as not already in force by S.I. 2010/1937, art. 4, Sch. 3

*Education Act 2002 (c. 32)*

11 EA 2002 is amended as follows.

**Commencement Information**

- I12** Sch. 2 para. 11 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

12 In section 65 (Academies) omit subsection (2).

**Commencement Information**

- I13** Sch. 2 para. 12 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

13 Section 67 (conversion of city academies into Academies) is repealed.

**Commencement Information**

- I14** Sch. 2 para. 13 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

14 Section 68 (city colleges) is repealed.

**Commencement Information**

- I15** Sch. 2 para. 14 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

15 In Schedule 1 (incorporation and powers of governing bodies) in paragraph 5(2) (a) (dissolution of governing body) omit the “or” after sub-paragraph (ii) and after sub-paragraph (iii) insert “, or  
(iv) the date on which a local authority are required to cease to maintain the school under section 6(2) of the Academies Act 2010;”.

**Commencement Information**

- I16** Sch. 2 para. 15 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

*Education Act 2005 (c. 18)*

16 EA 2005 is amended as follows.

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**I17** Sch. 2 para. 16 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

- 17 In section 5 (duty to inspect certain schools at prescribed intervals) in subsection (4) for paragraph (d) (and the “or” after it) substitute—
  - “(d) an Academy in respect of which notice of termination of Academy arrangements has been given, or”.

**Commencement Information**

**I18** Sch. 2 para. 17 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

- 18 In section 110 (supply of information: free school lunches etc) in subsection (7) (c) for “an agreement under section 482 of that Act (Academies, etc)” substitute “Academy arrangements”.

**Commencement Information**

**I19** Sch. 2 para. 18 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

*Education and Inspections Act 2006 (c. 40)*

- 19 EIA 2006 is amended as follows.

**Commencement Information**

**I20** Sch. 2 para. 19 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

- 20 In section 28(3) (exceptions to restriction on discontinuing maintained school) omit the “and” after paragraph (a) and after paragraph (b) insert “, and
  - (c) section 6(2) of the Academies Act 2010 (requirement to cease to maintain school in respect of which Academy order has effect).”

**Commencement Information**

**I21** Sch. 2 para. 20 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

- 21 In section 69 (power of Secretary of State to provide for governing body to consist of interim executive members) after subsection (3) insert—
  - “(4) Subsection (2) does not apply if an Academy order has effect in respect of the school.”

**Commencement Information**

**I22** Sch. 2 para. 21 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

F122 .....

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#### Textual Amendments

- F1** Sch. 2 para. 22 omitted (1.2.2012) by virtue of Education Act 2011 (c. 21), s. 82(3), Sch. 11 para. 11; S.I. 2012/84, art. 3 (with art. 4)

#### Commencement Information

- I23** Sch. 2 para. 22 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

#### *Apprenticeships, Skills, Children and Learning Act 2009 (c. 22)*

- 23 ASCLA 2009 is amended as follows.

#### Commencement Information

- I24** Sch. 2 para. 23 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

- 24 In Chapter 4 of Part 3 (the YPLA: Academy arrangements) for “Academy arrangements” wherever occurring (including in the heading to the Chapter) substitute “Academy agency arrangements”.

#### Commencement Information

- I25** Sch. 2 para. 24 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

- 25 In section 77 (Academy arrangements) in subsection (4)(a) for “an agreement under section 482(1) of the Education Act 1996” substitute “Academy arrangements”.

#### Commencement Information

- I26** Sch. 2 para. 25 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

#### *Children, Schools and Families Act 2010 (c. 26)*

- 26 (1) Section 5 of CSFA 2010 (power of governing bodies to form company to establish Academy, etc) is amended as follows.
- (2) In subsection (1)—
- (a) in paragraph (a) for the words from “an agreement” to “an Academy)” substitute “Academy arrangements”;
- (b) in paragraph (b) for “an agreement under that section” substitute “Academy arrangements”.
- (3) In subsection (2)(b) for “an agreement under section 482 of EA 1996” substitute “Academy arrangements”.

#### Commencement Information

- I27** Sch. 2 para. 26 in force at 29.7.2010 by S.I. 2010/1937, art. 2, Sch. 1

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 1 para. 9A and cross-heading inserted by [2023 c. 55 s. 235\(1\)](#)