



Academies Act 2010

2010 CHAPTER 32

Conversion of schools into Academies

3 Application for Academy order

- (1) The governing body of a maintained school in England may apply to the Secretary of State for an Academy order to be made in respect of the school.
- (2) In the case of a foundation or voluntary school that has a foundation, this is subject to subsections (3) and (4).
- (3) The governing body of a foundation or voluntary school that has a foundation must consult the foundation before making an application under this section.
- (4) The governing body of a foundation or voluntary school that has a foundation may make an application under this section only with the consent of—
 - (a) the trustees of the school, and
 - (b) the person or persons by whom the foundation governors are appointed.
- (5) Expressions used in subsections (2) to (4) and SSFA 1998 have the same meaning as in that Act.
- [^{F1}(6) In the case of a federated school, references in this section to the governing body include references to members of the governing body who—
 - (a) together make up a proportion of the total number of members that is specified in, or determined in accordance with, regulations, and
 - (b) consist of or include members of any prescribed description.]

Textual Amendments

F1 S. 3(6) inserted (1.4.2012) by [Education Act 2011 \(c. 21\)](#), ss. 57(2), 82(3); S.I. 2012/924, art. 2

Changes to legislation: Academies Act 2010, Section 3 is up to date with all changes known to be in force on or before 09 May 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](#)

Modifications etc. (not altering text)

- C1** S. 3 applied (with modifications) by SI 2007/2979 Sch. 1 para. 23B (as inserted (31.5.2012) by [The Education \(Pupil Referral Units\) \(Application of Enactments\) \(England\) \(Amendment\) Regulations 2012 \(S.I. 2012/1201\)](#), regs. 1(2), 4)

Commencement Information

- I1** S. 3 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\(1\)](#)