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STATUTORY INSTRUMENTS

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**2014 No. 2270**

**The Children and Families Act 2014 (Transitional and Saving Provisions) (No. 2) Order 2014**

**PART 1**

**Preliminary**

**Citation and commencement**

**1.—(1)** This Order may be cited as The Children and Families Act 2014 (Transitional and Saving Provisions) (No. 2) Order 2014.

**(2)** This Order comes into force on 1st September 2014.

**Interpretation**

**2.—(1)** In this Order—

“the 2001 Regulations” means the Education (Special Educational Needs) (England) (Consolidation) Regulations 2001<sup>(1)</sup>;

“the 2014 Act” means the Children and Families Act 2014;

“the commencement date” means 1st September 2014;

“compulsory school age” has the same meaning as in section 8 of EA 1996;

“infant school” means a primary school which provides education for children who are of compulsory school age but have not attained the age of eight, even though it may also provide education for children below compulsory school age;

“junior school” means a primary school which provides education for children who are of compulsory school age and who have attained the age of eight;

“statement” means a statement of special educational needs made and maintained under section 324 or 331 of EA 1996;

“the SEND Regulations 2014” means the Special Educational Needs and Disability Regulations 2014<sup>(2)</sup>;

“special school” has the same meaning as in section 6(2) of EA 1996;

“year 6” means a year group in which the majority of children will, in the school year, attain the age of 11;

“year 9” means a year group in which the majority of children will, in the school year, attain the age of 14;

“year 10” means a year group in which the majority of children will, in the school year, attain the age of 15.

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<sup>(1)</sup> [S.I. 2001/3455](#).

<sup>(2)</sup> [S.I. 2014/1530](#).

- (2) References in this Order to “the old law” are to the following as they had effect in relation to England immediately before the commencement date—
- (a) Chapter 1 of Part 4 and Chapter 5A of Part 10 of EA 1996,
  - (b) regulations made under either of those Chapters (or section 569 of that Act so far as it had effect in relation to that Chapter), and
  - (c) any other provision of or made under an Act that, at that time, had effect for the purposes of or in relation to—
    - (i) a provision of either of those Chapters or such regulations, or
    - (ii) a person to whom either of those Chapters or such regulations applied.
- (3) References in this Order to “the new law” are to—
- (a) Part 3 of the 2014 Act,
  - (b) an order or regulations made under that Part (or section 135 of that Act so far as it has effect in relation to that Part), and
  - (c) any other provision of or made under an Act<sup>(3)</sup> that has effect for the purposes of or in relation to—
    - (i) a provision of that Part or such an order or regulations, or
    - (ii) a person to whom that Part or such an order or regulations applies.
- (4) For the purposes of this Order an appeal is finally determined if—
- (a) a decision is made by a tribunal or court on the appeal, and
  - (b) if a request may be made to review the decision or it may be further appealed, the period (or each of the periods) for doing so expires without a review being requested or further appeal being brought.
- (5) Expressions used in this Order which are defined for the purposes of Part 3 of the 2014 Act have the same meaning as in that Part.

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<sup>(3)</sup> This includes the Special Educational Needs (Consequential Amendments to Subordinate Legislation) Order 2014 [S.I. 2014/2103](#).