STATUTORY INSTRUMENTS

1999 No. 702

EDUCATION, ENGLAND AND WALES

The Education (References to Adjudicator) Regulations 1999

Made - - - -	*6th March 1999*
Laid before Parliament	*11th March 1999*
Coming into force	*1st April 1999*

In exercise of the powers conferred on the Secretary of State by paragraph 5 of Schedule 5 to the School Standards and Framework Act 1998**(a)**, the Secretary of State for Education and Employment, after consultation with the Council on Tribunals in accordance with section 8 of the Tribunals and Inquiries Act 1992**(b)**, hereby makes the following regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Education (References to Adjudicator) Regulations 1999 and shall come into force on 1st April 1999.

(2) In these Regulations "the Act" means the School Standards and Framework Act 1998.

Adjudicator to which matters are to be referred

2.—(1) Where under any provision of the Act or regulations made under the Act a matter is referred to "the adjudicator", the chief adjudicator shall, subject to paragraph (2), allocate the referral to a particular adjudicator.

(2) A referral shall not be allocated to a particular adjudicator if the referral relates to the area of a local education authority–

(a) by whom, or by whose predecessor authority (if any), the particular adjudicator in question has been employed at any time during the period of ten years ending with the date on which the referral was made; or

(b) in which the particular adjudicator in question resides.

(3) In this regulation "the chief adjudicator" means a person, appointed under section 26 of the Act to act as an adjudicator, designated by the Secretary of State as such.

(4) In paragraph (2) a local education authority ("LEA A") is the predecessor of another local education authority ("LEA B") if as a result of a structural change or boundary change (within the meaning of section 14 of the Local Government Act 1992**(c)**) effected by an order under section 17 of that Act, LEA A ceases to exercise functions in relation to any area and LEA B exercises functions in relation to that area.

Estelle Morris
Minister of State,
Department for Education
and Employment

6th March 1999

(a) 1998 c. 31; for the meaning of "regulations" see section 142(1).
(b) 1992 c. 53.
(c) 1992 c. 14.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for determining the allocation to particular adjudicators of matters referred to "the adjudicator".

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