2001 No. 2612

EDUCATION, ENGLAND

The Education (Special Educational Needs) (England) (Amendment No. 2) Regulations 2001

Made - - - - -	*18th July 2001*
Laid before Parliament	*19th July 2001*
Coming into force - -	*31st August 2001*

The Secretary of State for Education and Skills, in exercise of the power conferred on her by sections 316A(2), 322(4), 324(2), 325(2A) and (2B), 326A(4), 328(1), (3A), and (3B), 329(2A), 329A(9), 336A(1) and 569(1), (2), (4) and (5) of, and paragraphs 2, 3(1), (3) and (4) of Schedule 26, and paragraphs 2(3), 2B(3), 5(3), 6(3), 7(1) and (2), 8(3A) and (5), 11 (2A) and (4) of Schedule 27 to, the Education Act 1996(**a**), hereby makes the following Regulations:

Citation, commencement and interpretation

1. These regulations—

(a) may be cited as The Education (Special Educational Needs) (England) (Amendment No. 2) Regulations 2001;

(b) apply only in relation to England, and

(c) shall come into force on 31st August 2001.

2. In these regulations "the principal regulations" means the Education (Special Educational Needs) (England) Regulations 2001(**b**).

3. Expressions used in these Regulations and the principal regulations have the same meaning in these Regulations as in the principal regulations.

4. The principal regulations shall be amended as follows—

(a) in regulations 1(2), 28(1), 28(5), 28(6), 28(7), 28(8), 28(9), 28(10) and 28(11) the words "1st January 2002" shall be substituted for the words "1st September 2001";

(b) in regulation 28(3) the words "1st May 2002" shall be substituted for the words "1st January 2002" on both occasions on which those words occur, and

(c) the following words shall be inserted after regulation 28(11)—

"(12) The first occasion before which an authority must, under regulation 19 of these Regulations, ensure that a child's statement is amended, shall be 15th February 2003."

Estelle Morris
Secretary of State for Education and Skills

18th July 2001

(**a**) 1996 c. 56. By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), the powers conferred by sections 322(4), 324(2), 328(1) and 569, and by paragraphs 2(1) and (2) of Schedule 26 are exercisable by the Secretary of State only in relation to England. For the meaning of regulations *see* section 579(1) of the Act. Sections 316A(2), 325(2A) and 2(B), 326A (4), 328 (3A) and (3B), 329A(9) and 336A(1) were inserted by the Special Educational Needs and Disability Act 2001 (c.10), section 1, paragraph 6 of Schedule 8, section 5, paragraph 7 of Schedule 8, section 8 and section 4 respectively.

(**b**) S.I. 2001/2216.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Special Educational Needs) (England) Regulations 2001 by substituting a new commencement date of 1st January 2002 for the previous commencement date of 1st September 2001. They also make consequential amendments to the transitional provisions in the Education (Special Educational Needs) (England) Regulations 2001.

ISBN 0-11-029882-9

9 780110 298825

£1.50

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E1467 8/2001 648761 19585