STATUTORY INSTRUMENTS

1978 No. 467

EDUCATION, ENGLAND AND WALES

The Independent Schools (Exemption from Registration) Order 1978

Made - - - - 17*th March* 1978

Coming into Operation 1*st May* 1978

The Secretary of State, in exercise of the powers conferred by sections 70(2) and 111 of the Education Act 1944**(a)** and vested in her**(b)**, hereby makes the following Order:—

1. This Order may be cited as the Independent Schools (Exemption from Registration) Order 1978 and shall come into operation on 1st May 1978.

2.—(1) In this Order a reference to the Order of 1957 is a reference to the Independent Schools (Exemption from Registration) Order 1957**(c)**.

(2) The Interpretation Act 1889**(d)** shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

3. The Order of 1957 is hereby revoked.

4.—(1) Subject as hereinafter provided, this Order shall apply to all the independent schools which, immediately before 1st May 1978, were exempt from registration under section 70 of the Education Act 1944 by virtue of the Order of 1957 (in particular, schools which the Secretary of State recognised as efficient).

(2) If the Secretary of State for Education and Science gives written notice to the proprietor of a school to which this Order applies that he is no longer satisfied either—

(*a*) that he is in possession of sufficient information with respect to that school (including, in particular, such information as in the case of a registered school is required to be furnished in pursuance of regulations from time to time in force under section 70(4) of the Education Act 1944), or

(*b*) that the registration of the school is unnecessary,

this Order shall cease to apply to the school in question on the date 12 weeks after the date of the notice.

5. If and so long as this Order applies to a school, that school is exempted from registration under section 70 of the Education Act 1944.

(a) 1944 c. 31. (b) S.I. 1964/490. (c) S.I. 1957/1173. (d) 1889 c. 63.

Given under the Official Seal of the Secretary of State for Education and Science on 17th March 1978.

(L.S.)

Shirley Williams,
Secretary of State for
Education and Science.

EXPLANATORY NOTE

(This Note is not part of the Order.)

By virtue of the Independent Schools (Exemption from Registration) Order 1957, schools "recognised as efficient by the Secretary of State" are exempt from registration under section 70 of the Education Act 1944. As announced in a written answer to a question in the House of Commons on 16th June 1977 (Official Report, cols. 254–255), as from April 1978 the arrangements whereunder schools are so recognised are being terminated and the criterion "recognised as efficient" will cease to be meaningful.

The present Order revokes the Order of 1957 but provides that a school exempt thereunder from registration shall continue so exempt unless and until the proprietors are notified that the Secretary of State is no longer satisfied either that sufficient information about the school has been furnished or that registration is unnecessary.

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