

Education Act 1996

1996 c. 56 ▶ Part X ▶ Chapter I ▶ Required standards for educational premises ▶ Section 543

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Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Education Act 1996. Any changes that have already been made by the team appear in the content and are referenced with annotations. View outstanding changes

543 Relaxation of prescribed standards in special cases.

(1) Where subsection (2), (3) [F1, (4) or (4A)] applies in relation to a school, the Secretary of State may direct that, despite the fact that the prescribed requirement referred to in that subsection is not satisfied, the school premises shall be taken, as respects the matters specified in the direction, to conform to the standards prescribed under section 542 so long as—

(a) the direction remains in force, and

(b) any conditions specified in the direction as respects those matters are observed.

(2) This subsection applies if the Secretary of State is satisfied, having regard—

(a) to the nature of the school's existing site,

(b) to any existing buildings on the site, or

(c) to other special circumstances affecting the school premises.

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(3) This subsection applies if—

(a) the school is to have an additional or new site, and

(b) the Secretary of State is satisfied, having regard to the shortage of suitable sites, that it would be unreasonable to require conformity with any prescribed requirement relating to sites.

(4) This subsection applies if—

(a) the school is to have additional buildings, or is to be transferred to a new site,

(b) existing buildings not previously part of the school premises, or temporary buildings, are to be used for that purpose, and

(c) the Secretary of State is satisfied, having regard to the need to control public expenditure in the interests of the national economy, that it would be unreasonable to require conformity with any prescribed requirement relating to buildings.

[F2(4A) This subsection applies, in relation to any playing fields used by the school for the purposes of the school, if the Secretary of State is satisfied that, having regard to other facilities for physical education available to the school, it would be unreasonable to require conformity with any prescribed requirement relating to playing fields.

In this subsection "playing fields" has the same meaning as in section 77 of the School Standards and Framework Act 1998 (control of disposals or changing use of school playing fields).]

(5) In this section "prescribed requirement" means a requirement of regulations under section 542.

Annotations:

Amendments (Textual)

F1 Words in s. 543(1) substituted (1.2.1999) by 1998 c. 31, s. 140(1), Sch. 30 para. 159(a) (with ss. 138(9), 144(6)); S.I. 1998/2212, art. 2(3), Sch. 1 Pt.III

F2 S. 543(4A) inserted (1.2.1999) by 1998 c. 31, s. 140(1), Sch. 30 para. 159(b) (with ss. 138(9), 144(6)); S.I. 1998/2212, art. 2(3), Sch. 1 Pt.III

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