LORDS AMENDMENTS TO THE
EDUCATION AND SKILLS BILL

[The page and line references are to HL Bill 58, the bill as first printed for the Lords.]

Clause 22

1 Page 12, line 13, leave out paragraph (a) and insert—
“(a) particulars of the contravention of section 21 in respect of which the penalty is imposed,”

2 Page 12, line 17, at end insert—
“( ) the steps that the employer may take if the employer objects to the giving of the penalty notice, including how the employer may appeal against it,”

After Clause 22

3 Insert the following new Clause—

“Withdrawal or variation of penalty notice given under section 22 following notice of objection

(1) This section applies where a penalty notice has been given to a person (“the employer”) under section 22 by a local education authority.

(2) The employer may, by giving notice (a “notice of objection”) to the authority, object to the giving of the penalty notice on either or both of the following grounds—
(a) that the employer did not commit the contravention of section 21 stated in the penalty notice;
(b) that the amount of the penalty stated in the penalty notice is too high.

(3) A notice of objection—
(a) may be given to the authority only during the period of 2 weeks beginning with the day on which the penalty notice was given to the employer, and
(b) must state the grounds of the objection and the employer’s reasons for objecting on those grounds.

(4) A local education authority must consider a notice of objection given under subsection (2) and, by giving notice (a “determination notice”) to the employer—
   (a) withdraw the penalty notice,
   (b) if the amount of the penalty determined in accordance with regulations under section 22(2) is smaller than the amount stated in the penalty notice, replace the penalty with the smaller amount, or
   (c) confirm the penalty notice.

(5) The determination notice must be given within the prescribed period beginning with the day on which the notice of objection was given.

(6) Where, under subsection (4)(b), the amount of a penalty stated in a penalty notice is replaced with a smaller amount, the notice is to have effect as if it had originally stated the smaller amount.”

4 Insert the following new Clause—

“Apeal against penalty notice given under section 22

(1) This section applies where a penalty notice has been given to a person (“the employer”) under section 22 and—
   (a) the period during which a notice of objection may be given in relation to the penalty notice has expired, and
   (b) if a notice of objection has been given in relation to the penalty notice, a determination notice has been given in relation to the notice of objection.

(2) The employer may appeal to the First-tier Tribunal against the giving of the penalty notice on one or more of the following grounds—
   (a) that the employer did not contravene section 21 in the way stated in the penalty notice;
   (b) that the circumstances of the contravention of section 21 stated in the penalty notice make the giving of the notice unreasonable;
   (c) that the amount of the penalty stated in the penalty notice is too high.

(3) On an appeal under this section, the First-tier Tribunal may—
   (a) allow the appeal and cancel the penalty notice,
   (b) if the amount of the penalty determined in accordance with regulations under section 22(2) is smaller than the amount stated in the penalty notice, allow the appeal and replace the penalty with the smaller amount, or
   (c) dismiss the appeal.

(4) Where, under subsection (3)(b), the amount of a penalty stated in a penalty notice is replaced with a smaller amount, the notice is to have effect as if it had originally stated the smaller amount.

(5) In subsection (1), “notice of objection” and “determination notice” have the same meanings as in section (Withdrawal or variation of penalty notice given under section 22 following notice of objection).”
Clause 23

Page 12, line 31, after “where” insert “—
(a) ”

Page 12, line 32, leave out “(and has not already been withdrawn)” and insert “, and
(b) any appeal made under section (Appeal against penalty notice given under section 22) in respect of the penalty notice has not been determined.”

Page 12, line 36, leave out “subsection (2)” and insert “section (Withdrawal or variation of penalty notice given under section 22 following notice of objection) or (Further power to withdraw penalty notice given under section 22)”

Page 12, line 39, at end insert—
“(3A) If the amount of a penalty is reduced under section (Withdrawal or variation of penalty notice given under section 22 following notice of objection), any sum already paid or recovered must, to the extent that it was paid or recovered in respect of any amount in excess of the reduced amount, be repaid to the employer with interest at the appropriate rate running from the date when the sum was paid or recovered.”

Page 12, line 40, leave out “For the purposes of subsection (3)” and insert “In this section”

Divide Clause 23 into two clauses, the first (Further power to withdraw penalty notice given under section 22) to consist of subsections (1) and (2) and the second (Withdrawal or variation of penalty notice given under section 22: further provisions) to consist of subsections (3) to (4)

Clause 27

Page 15, line 24, leave out paragraph (a) and insert—
“(a) particulars of the contravention of section 24 or 25 in respect of which the notice is given, and”

Clause 28

Page 16, line 19, leave out paragraph (a) and insert—
“(a) particulars of the failure by the employer in respect of which the penalty notice is given,”

Page 16, line 23, at end insert—
“( ) the steps that the employer may take if the employer objects to the giving of the penalty notice, including how the employer may appeal against it,”

Clause 29

Page 16, line 31, after “where” insert “—
(a) ”

Page 16, line 32, leave out “(and has not already been withdrawn)” and insert “, and
(b) if a penalty notice has been given in respect of the enforcement notice under section 28, any appeal made under section (Appeal
“Withdrawal or variation of penalty notice given under section 28 following notice of objection

(1) This section applies where a penalty notice has been given to a person (“the employer”) under section 28 by a local education authority in respect of a failure of a kind mentioned in subsection (2) of that section relating to an enforcement notice.

(2) The employer may, by giving notice (a “notice of objection”) to the authority, object to the giving of the penalty notice on one or more of the following grounds—
   (a) that the employer did not contravene section 24 or 25 in the way stated in the enforcement notice;
   (b) that the requirements imposed by the enforcement notice were unreasonable;
   (c) that the employer did not fail in the way stated in the penalty notice;
   (d) that the amount of the penalty stated in the penalty notice is too high.

(3) A notice of objection—
   (a) may be given to the authority only during the period of 2 weeks beginning with the day on which the penalty notice was given to the employer, and
   (b) must set out the grounds of the objection and the employer’s reasons for objecting on those grounds.

(4) A local education authority must consider a notice of objection given under subsection (2) and, by giving notice (a “determination notice”) to the employer—
   (a) withdraw the penalty notice,
   (b) if the amount of the penalty determined in accordance with regulations under section 28(3) is smaller than the amount stated in the penalty notice, replace the penalty with the smaller amount, or
   (c) confirm the penalty notice.

(5) The determination notice must be given within the prescribed period beginning with the day on which the notice of objection was given.

(6) Where, under subsection (4)(b), the amount of a penalty stated in a penalty notice is replaced with a smaller amount, the notice is to have effect as if it had originally stated the smaller amount.”
“Appeal against penalty notice given under section 28

(1) This section applies where a penalty notice has been given to a person under section 28 in respect of a failure of a kind mentioned in subsection (2) of that section in relation to an enforcement notice and—
   (a) the period during which a notice of objection may be given in relation to the penalty notice has expired, and
   (b) if a notice of objection has been given in relation to the penalty notice, a determination notice has been given in relation to the notice of objection.

(2) The person may appeal to the First-tier Tribunal against the giving of the penalty notice on one or more of the following grounds—
   (a) that the person did not contravene section 24 or 25 in the way stated in the enforcement notice;
   (b) that the circumstances of the contravention of section 24 or 25 stated in the enforcement notice make the giving of an enforcement notice under section 27 unreasonable;
   (c) that the requirements imposed by the enforcement notice were unreasonable;
   (d) that the person did not fail in the way stated in the penalty notice;
   (e) that the circumstances of the failure stated in the penalty notice make the giving of the notice unreasonable;
   (f) that the amount of the penalty stated in the penalty notice is too high.

(3) On an appeal under this section, the First-tier Tribunal may—
   (a) allow the appeal and cancel the penalty notice,
   (b) if the amount of the penalty determined in accordance with regulations under section 28(3) is smaller than the amount stated in the penalty notice, allow the appeal and replace the penalty with the smaller amount, or
   (c) dismiss the appeal.

(4) Where, under subsection (3)(b), the amount of a penalty stated in a penalty notice is replaced with a smaller amount, the notice is to have effect as if it had originally stated the smaller amount.

(5) In subsection (1), “notice of objection” and “determination notice” have the same meanings as in section (Withdrawal or variation of penalty notice given under section 28 following notice of objection).”

Clause 30

18 Page 17, line 11, after “where” insert “—
   (a) ”

19 Page 17, line 12, leave out “(and has not already been withdrawn)” and insert “, and
   (b) any appeal made under section (Appeal against penalty notice given under section 28) in respect of the penalty notice has not been determined.”

20 Page 17, line 16, leave out “subsection (2)” insert “section (Withdrawal or variation of penalty notice given under section 28 following notice of objection) or (Further power to withdraw penalty notice given under section 28)”
Page 17, line 19, at end insert—

“(3A) If the amount of a penalty is reduced under section (Withdrawal or variation of penalty notice given under section 28 following notice of objection), any sum already paid or recovered must, to the extent that it was paid or recovered in respect of any amount in excess of the reduced amount, be repaid to the employer with interest at the appropriate rate running from the date when the sum was paid or recovered.”

Page 17, line 20, leave out “For the purposes of subsection (3)” and insert “In this section”

Divide Clause 30 into two clauses, the first (Further power to withdraw penalty notice given under section 28) to consist of subsections (1) and (2) and the second (Withdrawal or variation of penalty notice given under section 28: further provisions) to consist of subsections (3) to (4)

Clause 44

Page 24, line 41, leave out “(5)” and insert “(4)”

Clause 47

Page 26, line 32, at end insert “(but subject to subsection (6))”

Page 27, line 15, at end insert—

“(6) The amount of any penalty payable by virtue of regulations under subsection (4)(b) must not exceed the amount for the time being specified as level 1 on the standard scale of fines for summary offences.”

After Clause 48

Insert the following new Clause—

“Non-participation fines: interpretation

(1) In this section and sections (Enforcement of non-participation fine etc: person reaching 18) to (Application of amounts recovered by virtue of section (Enforcement of non-participation fine etc: person reaching 18) or (Enforcement of non-participation fine etc: fine imposed on person aged 18 or over))—

“non-participation fine” means a fine imposed—

(a) for an offence under section 45, or

(b) in respect of a failure to comply with any sentence imposed for such an offence;

“the relevant sum”, in relation to a non-participation fine, means—

(a) the non-participation fine,

(b) any surcharge ordered under section 161A of the Criminal Justice Act 2003 (c. 44) (surcharges) to be paid solely in relation to the offence, and

(c) any costs ordered by a court to be paid by the person on whom the fine was imposed in connection with the offence or proceedings relating to the offence or any sentence imposed (including proceedings on appeal);

“relevant local education authority”, in relation to a non-participation fine, means the local education authority which issued the penalty
notice under section 47 in respect of the offence to which the fine relates.

(2) References in those sections to a fine being imposed are, in the case of a fine varied or confirmed on appeal, references to its being varied or confirmed.”

28 Insert the following new Clause —

“Enforcement of non-participation fine etc: person reaching 18

(1) This section applies where—
(a) a non-participation fine has been imposed on a person aged under 18, and
(b) the relevant sum, or any part of it, remains unpaid when the person reaches the age of 18.

(2) When the person reaches the age of 18, the relevant sum ceases to be enforceable as a sum adjudged to be paid by a conviction of a magistrates’ court.

(3) Accordingly, after the person has reached the age of 18 —
(a) the normal enforcement provisions do not apply in relation to the relevant sum, and
(b) the normal enforcement powers are not exercisable in relation to the relevant sum, except so far as necessary to permit current enforcement processes to be concluded.

(4) Any order or warrant made or issued in relation to the non-participation fine, other than —
(a) an order under section 75 of the Magistrates’ Courts Act 1980 (c. 43) (power to dispense with immediate payment),
(b) an order under section 85A of that Act (variation of instalments of sum adjudged to be paid by conviction), or
(c) a current enforcement process,
ceases to have effect when the person reaches the age of 18.

(5) A magistrates’ court may, after the person has reached the age of 18, order that payment of so much of the relevant sum as remains unpaid may be enforced as if it were a sum due to the relevant local education authority in pursuance of a judgment or order of a county court.

(6) An order under subsection (5) may not be made unless—
(a) the person appears to the court to have sufficient means to pay the sum forthwith, and
(b) any current enforcement processes have been concluded.

(7) For the purposes of this section, “current enforcement process” means an order or warrant mentioned in paragraph (a), (b) or (c) and any reference to its conclusion is to be read in accordance with that paragraph—
(a) a warrant of control—
(i) issued under section 76 of the Magistrates’ Courts Act 1980 (c. 43) (warrants of control etc) for the purpose of recovering the relevant sum (or any part of it), and
(ii) by virtue of which an enforcement agent has, before the person reaches the age of 18, taken control of any goods of
the person under Schedule 12 to the Tribunals, Courts and Enforcement Act 2007 (c. 15) (taking control of goods), is concluded when property in all goods of the person has, in accordance with paragraph 6 of that Schedule, ceased to be bound by virtue of the warrant;

(b) an order in force when the person reaches the age of 18 under—
   (i) section 81(1)(b) of the Magistrates’ Courts Act 1980 (c. 43) (enforcement of fines imposed on young offenders), or
   (ii) section 137(1) of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6) (power to order parent or guardian to pay fine, costs, compensation or surcharge),

requiring that the relevant sum (or any part of it) be paid by a parent or guardian of the person is concluded when it is revoked;

(c) an order in force when the person reaches the age of 18 under section 39 of the Criminal Justice and Immigration Act 2008 (c. 4) (youth default orders) in respect of the relevant sum (or any part of it) is concluded when it is revoked.

(8) Subsection (2) does not affect the exercise of any power, or any order made, in respect of the offence before the person reached the age of 18.

(9) The Lord Chancellor may by order amend subsection (4) or (7) by—
   (a) adding to it provision about any warrant or order that may be issued or made, or step that may be taken, in relation to a non-participation fine before the person on whom it is imposed reaches the age of 18, or
   (b) removing any such provision for the time being made by that subsection.”

29 Insert the following new Clause—

“Enforcement of non-participation fine etc: fine imposed on person aged 18 or over

(1) This section applies where a non-participation fine is imposed on a person who has reached the age of 18.

(2) Payment of the relevant sum may be enforced as if it were a sum due to the relevant local education authority in pursuance of a judgment or order of a county court.

(3) The relevant sum is not enforceable as a sum adjudged to be paid by a conviction of a magistrates’ court.

(4) Accordingly—
   (a) the normal enforcement provisions do not apply in relation to the relevant sum, and
   (b) the normal enforcement powers are not exercisable in relation to the relevant sum.

(5) But subsections (3) and (4) do not prevent a magistrates’ court, on imposing the fine, from—
   (a) making an order under section 75 of the Magistrates’ Courts Act 1980 (c. 43) (power to dispense with immediate payment), or
   (b) making an order under section 80 of that Act (application of money found on defaulter to satisfy sum adjudged) for the person to be
searched before leaving the precincts of the court-house; and subsections (2) and (3) of that section apply in relation to a search in pursuance of any such order.”

30 Insert the following new Clause—

“Enforcement of non-participation fine: further provisions

(1) In sections (Enforcement of non-participation fine etc: person reaching 18) and (Enforcement of non-participation fine etc: fine imposed on person aged 18 or over), “the normal enforcement provisions” means—

(a) Part 3 of the Magistrates’ Courts Act 1980 (c. 43) (satisfaction and enforcement);

(b) sections 135 and 136 of that Act (committal and detention for short period);

(c) section 108 of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6) (detention of persons aged at least 18 but under 21 for default or contempt);

(d) Schedules 5 and 6 to the Courts Act 2003 (c. 39) (collection of fines etc and discharge of fines by unpaid work); and

(e) section 300 of the Criminal Justice Act 2003 (c. 44) (power to impose unpaid work requirement or curfew requirement on fine defaulter).

(2) In sections (Enforcement of non-participation fine etc: person reaching 18) and (Enforcement of non-participation fine etc: fine imposed on person aged 18 or over), “the normal enforcement powers”, in relation to any sum, means—

(a) any power of a magistrates’ court or an officer of such a court—

(i) to enforce payment of the sum; or

(ii) which is exercisable in consequence of a default in payment of the sum or any part of it;

(b) in the case of a fine imposed, varied or confirmed by a decision of any other court on an appeal, any power of that other court to enforce the decision.

(3) The Lord Chancellor may by order amend subsection (1) or (2) by—

(a) adding a reference to any statutory provision which relates to enforcement of fines, costs or surcharges, or to any power to enforce payment of such sums, or

(b) removing a reference to any provision or power for the time being listed in that section.

(4) Where—

(a) a sum is payable at a time or times specified by—

(i) an order under section 75 of the Magistrates’ Courts Act 1980 (c. 43) (power to dispense with immediate payment), or

(ii) orders under that section and section 85A of that Act (variation of instalments of sum adjudged to be paid by conviction), and

(b) the sum would (but for this subsection) be treated by virtue of section (Enforcement of non-participation fine etc: person reaching 18) or (Enforcement of non-participation fine etc: fine imposed on person aged 18 or over) as due to a local education authority in pursuance of a judgment or order of a county court,
the sum is to be treated as so payable to that authority at the time or times referred to in paragraph (a) by virtue of an order of the county court under section 71(1) of the County Courts Act 1984 (c. 28) (satisfaction of judgments and orders for payment of money).”

31 Insert the following new Clause—

“Application of sums recovered by virtue of section (Enforcement of non-participation fine etc: person reaching 18) or (Enforcement of non-participation fine etc: fine imposed on person aged 18 or over)

(1) The Lord Chancellor may by regulations make provision as to the application of amounts recovered by local education authorities by virtue of sections (Enforcement of non-participation fine etc: person reaching 18) and (Enforcement of non-participation fine etc: fine imposed on person aged 18 or over).

(2) Any such regulations must make provision for securing that any such amount recovered, so far as not—
   (a) attributable to county court enforcement costs, or
   (b) paid to a magistrates’ court, or to an officer of such a court,
   is repaid to the person on whom the non-participation fine to which it relates was imposed (or other person who paid the amount).

(3) Regulations under this section may make provision, in particular, as to—
   (a) the extent to which amounts recovered by virtue of section (Enforcement of non-participation fine etc: person reaching 18) or (Enforcement of non-participation fine etc: fine imposed on person aged 18 or over) are attributable to county court enforcement costs;
   (b) further payments, or repayments, to be made in consequence of any appeal, or of any remission or variation of a non-participation fine or any other amount required to be paid.

(4) In this section, “county court enforcement costs” in relation to a non-participation fine means costs incurred by a local education authority in connection with the recovery of the relevant sum in a county court.”

32 Insert the following new Clause—

“Review of initial operation of Chapter

(1) The Secretary of State must appoint a person to conduct a review of the initial operation of this Chapter.

(2) The person appointed must make a report to the Secretary of State on the review within a reasonable period after the school leaving date for 2016.

(3) The Secretary of State must lay a copy of the report before Parliament.

(4) The Secretary of State may pay to the person appointed such remuneration and expenses as the Secretary of State may determine.”

After Clause 50

33 Insert the following new Clause—


“House of Lords staff

The following provisions apply in relation to employment under a contract of employment with the Corporate Officer of the House of Lords as they apply in relation to other employment—

(a) sections 19 to 21;
(b) sections 24 to 26.”

Clause 51

34 Page 28, line 30, leave out subsection (3) and insert—

“(3) The following provisions apply in relation to employment as a relevant member of the House of Commons staff as they apply in relation to other employment—

(a) sections 19 to 21;
(b) sections 24 to 26.”

35 Page 28, leave out lines 42 to 44

36 Page 29, line 1, leave out from “staff” to end of line 4 and insert “has the same meaning as in section 195 of the Employment Rights Act 1996 (c. 18)”.

37 Page 29, line 4, at end insert—

“( ) Subsections (6), (7) and (12) of that section (person to be treated as employer of relevant member of House of Commons staff) apply (with any necessary modifications) for the purposes of the provisions mentioned in subsection (3) as applied by virtue of this section.”

Clause 52

38 Page 29, line 17, at end insert—

“( ) Where a person is required by a penalty notice given under section 22 or 28 to pay a financial penalty, and

(a) has given a notice of objection to the local education authority under section (Withdrawal or variation of penalty notice given under section 22 following notice of objection) or (Withdrawal or variation of penalty notice given under section 28 following notice of objection), or

(b) has appealed against the giving of the penalty notice under section (Appeal against penalty notice given under section 22) or (Appeal against penalty notice given under section 28),

the penalty is not enforceable until the authority has given a determination notice under section (Withdrawal or variation of penalty notice given under section 22 following notice of objection) or (Withdrawal or variation of penalty notice given under section 28 following notice of objection) in relation to the penalty notice, or, as the case may be, the appeal has been determined.”

After Clause 53

39 Insert the following new Clause—
“Corresponding provision for Wales

(1) This section applies if a Measure of the National Assembly for Wales includes provision that appears to the Secretary of State to correspond to provision made by section 2.

(2) The Secretary of State may by order make provision in relation to Wales that corresponds to any provision made by sections 19 to 30.

(3) Without prejudice to section 147(4), the power conferred by this section includes power to make provision in relation to Wales that corresponds to any of the following—
   (a) the provisions of the Employment Rights Act 1996 (c. 18) inserted by sections 31 to 33;
   (b) section 49;
   (c) section 50;
   (d) section 52 so far as relating to financial penalties under sections 22 and 28.

(4) Power conferred by this section to make provision in relation to Wales that corresponds to any other provision includes power—
   (a) to apply that other provision in relation to Wales, with or without modification;
   (b) to amend that other provision so that it applies in relation to Wales, with or without modification.”

After Clause 56

40 Insert the following new Clause—

“Provision of support on conditional basis: learning and support agreements

(1) Services provided for young persons in pursuance of section 54 or 56(1)(b) may include the provision of support on a conditional basis.

(2) For the purposes of this section—
   (a) “support” provided for a person means any form of support and includes, in particular—
      (i) support in the form of medical or social care, including care provided otherwise than to that person,
      (ii) support in the form of incentives, including allowances and payments, and
      (iii) other financial assistance;
   (b) support is provided for a young person on a conditional basis if it is provided under arrangements (a “learning and support agreement”) under which its provision is subject to the young person’s agreement to fulfil conditions (“learning and support conditions”).

(3) Subsections (4) to (6) apply where support is provided for a young person on a conditional basis by virtue of subsection (1).

(4) The learning and support agreement must include provision (whether or not in the form of a learning and support condition) relating to the young person’s participation in education or training.
(5) The person providing the support (the “service provider”) must consider that providing it on a conditional basis would be desirable in the interests of encouraging, enabling or assisting the young person—
   (a) to fulfil the duty imposed by section 2, in a case where the young person is a person to whom Part 1 applies, or
   (b) in any case, to participate effectively in education or training.

(6) The learning and support conditions must be conditions—
   (a) determined in consultation between the service provider and the young person, having regard to an assessment of the young person’s needs conducted by the service provider and the young person for the purposes of this section, and
   (b) to which in the course of that consultation the young person has agreed;

and the service provider must make arrangements for the learning and support conditions to be reviewed periodically.

(7) Learning and support agreements made by virtue of subsection (1) do not create any obligations in respect of whose breach any liability arises in contract or in tort.

(8) Subsection (1) is subject to section 54(2) and (4).”

Clause 80

41 Page 50, line 6, leave out “Chief Inspector” and insert “Secretary of State”
42 Page 50, line 10, leave out “Chief Inspector” and insert “Secretary of State”
43 Page 50, line 11, leave out “Chief Inspector” and insert “Secretary of State”

Clause 82

44 Page 50, line 32, at end insert—
   “( ) This section does not confer power to inspect or take copies of anything of a kind specified in section 9(2) of the Police and Criminal Evidence Act 1984 (c. 60) (legally privileged material etc).”

Clause 83

45 Page 51, line 4, leave out “Chief Inspector” and insert “Secretary of State”
46 Page 51, line 21, at end insert—
   “(4) The Secretary of State must notify the Chief Inspector of an application under this section.”

Clause 84

47 Page 51, line 23, leave out from “the” to “on” in line 25 and insert “Chief Inspector is notified under section 83(4) that an institution has applied to be entered on the register, the Chief Inspector must—
   (a) inspect the institution, and
   (b) make a report to the Secretary of State”
48 Page 51, line 25, leave out “it appears from the inspection that”
Page 51, line 29, leave out “Chief Inspector” and insert “Secretary of State”

Page 51, line 30, leave out “findings on the inspection” and insert “report of the Chief Inspector”

Page 51, line 35, leave out “Chief Inspector” and insert “Secretary of State”

Page 51, line 37, leave out “Chief Inspector” and insert “Secretary of State”

Page 51, line 40, leave out “Chief Inspector” and insert “Secretary of State”

Clause 85

Page 52, line 4, leave out “Chief Inspector” and insert “Secretary of State”

Page 52, line 10, leave out “Chief Inspector” and insert “Secretary of State”

Page 52, line 11, leave out “Chief Inspector” and insert “Secretary of State”

Page 52, line 13, leave out “Chief Inspector’s” and insert “Secretary of State’s”

Clause 87

Page 52, line 34, leave out “Chief Inspector” and insert “Secretary of State”

Clause 88

Page 53, line 3, leave out “Chief Inspector may” and insert “Secretary of State may direct the Chief Inspector to”

Page 53, line 4, leave out from beginning to “on” in line 5 and insert “Where such a direction is given, the Chief Inspector must—

(a) inspect the institution, and

(b) make a report to the Secretary of State”

Page 53, line 5, leave out “it appears from the inspection that”

Page 53, line 8, leave out “subsection (2)” and insert “this section”

Page 53, line 9, after “standard” insert “—

(a) specified by the Secretary of State for the purposes of the inspection, or

(b) ”

Clause 89

Page 53, line 13, leave out “Chief Inspector” and insert “Secretary of State”

Page 53, line 18, leave out “Chief Inspector” and insert “Secretary of State”

Page 53, line 20, leave out “the findings on any inspection carried out” and insert “any report of the Chief Inspector”

Page 53, line 23, leave out “Chief Inspector” and insert “Secretary of State”

Clause 90

Page 53, line 31, leave out “Chief Inspector” and insert “Secretary of State”

Page 53, line 39, leave out “Chief Inspector” and insert “Secretary of State”
Page 53, line 41, leave out “Chief Inspector’s” and insert “Secretary of State’s”

Clause 93

Page 54, line 35, leave out from beginning to “likely” in line 36 and insert “make a report to the Secretary of State, in relation to each inspection, on the extent to which any relevant standard is being met, and is”

Page 54, line 37, at end insert—

“( ) In this section “any relevant standard”, in relation to an inspection, means any independent educational institution standard that is—

(a) specified by the Secretary of State for the purposes of the inspection, or

(b) considered to be relevant by the Chief Inspector in the circumstances of the case.”

Page 54, line 39, leave out from beginning to end of line 10 on page 55 and insert “make a report if the Chief Inspector has been notified by the Secretary of State that the institution is to be inspected instead by an independent inspectorate.”

Clause 94

Page 55, line 21, after “may” insert “at any time”

Page 55, line 26, at end insert “in relation to the institution”

Page 55, line 26, at end insert—

“( ) The Secretary of State may at any time arrange for an independent inspectorate—

(a) to inspect a registered independent educational institution in relation to which it is approved under section 91, and

(b) to make a report to the Secretary of State on the extent to which any relevant standard is being met in relation to the institution.”

Page 55, line 28, leave out from “standard” to end and insert “that is—

(a) specified by the Secretary of State for the purposes of the inspection, or

(b) considered to be relevant by the person carrying out the inspection in the circumstances of the case.”

Clause 95

Leave out Clause 95

Clause 96

Page 56, line 21, at end insert—

“( ) This section does not confer power to inspect or take copies of anything of a kind specified in section 9(2) of the Police and Criminal Evidence Act 1984 (c. 60) (legally privileged material etc).”

Clause 97

Page 56, line 32, leave out “or times”
Page 56, line 33, leave out subsections (3) and (4) and insert—

“(2A) Regulations under this section may make provision—
(a) for determining the amount of a fee by reference to circumstances obtaining at a time before the inspection to which it relates takes place;
(b) requiring two or more fees to be paid in respect of an inspection under section 93 (inspections at prescribed intervals);
(c) requiring a fee to be paid at a time before the inspection to which it relates takes place;
(d) prescribing circumstances in which the amount of a fee may be varied or a fee may be waived;
(e) conferring a discretion on the Secretary of State.

(2B) The power in subsection (2A)(c)—
(a) does not include power to make provision requiring a fee in respect of an inspection under section 93 to be paid at any time at which an independent inspectorate is approved in relation to the institution;
(b) includes power to make provision as to circumstances in which a fee is not to be refunded (and any requirement to pay a fee is to be unaffected) if the inspection to which it relates does not take place.

(2C) Without prejudice to section 147(4), regulations under this section may make different provision—
(a) for inspections of different descriptions of institution, or
(b) for inspections carried out for different purposes or in different circumstances.”

Clause 98

Page 57, line 5, leave out “Chief Inspector” and insert “Secretary of State”

Page 57, line 7, leave out “Chief Inspector” and insert “Secretary of State”

Page 57, line 9, leave out “Chief Inspector’s” and insert “Secretary of State’s”

Clause 99

Page 57, line 15, leave out “may arrange for the publication of” and insert “must comply with a direction given by the Secretary of State to publish”

Clause 100

Page 57, line 22, leave out “Chief Inspector” and insert “Secretary of State”

Page 57, line 26, leave out paragraph (a)

Page 57, line 27, after “by” insert “the Chief Inspector or”

Page 57, line 30, leave out “Chief Inspector” and insert “Secretary of State”

Page 57, line 32, leave out “Chief Inspector” and insert “Secretary of State”

Page 57, line 38, leave out “Chief Inspector” and insert “Secretary of State”

Page 58, line 2, leave out “Chief Inspector” and insert “Secretary of State”

Page 58, line 6, leave out first “Chief Inspector” and insert “Secretary of State”
Page 58, line 6, leave out second “Chief Inspector” and insert “Secretary of State”
Page 58, line 9, leave out “Chief Inspector” and insert “Secretary of State”

Clause 101
Page 58, line 13, leave out “Chief Inspector” and insert “Secretary of State”
Page 58, line 17, leave out paragraph (a)
Page 58, line 18, after “by” insert “the Chief Inspector or”
Page 58, line 21, leave out “Chief Inspector” and insert “Secretary of State”
Page 58, line 25, leave out “Chief Inspector” and insert “Secretary of State”
Page 58, line 29, leave out “Chief Inspector” and insert “Secretary of State”
Page 58, line 34, leave out “Chief Inspector” and insert “Secretary of State”
Page 58, line 41, leave out “Chief Inspector” and insert “Secretary of State”

Clause 102
Page 59, line 2, leave out “Chief Inspector” and insert “Secretary of State”
Page 59, line 3, leave out “Chief Inspector” and insert “Secretary of State”
Page 59, line 6, leave out “Chief Inspector” and insert “Secretary of State”

Clause 103
Page 59, line 25, leave out “Chief Inspector” and insert “Secretary of State”
Page 59, line 26, leave out “Chief Inspector” and insert “Secretary of State”

Clause 104
Page 59, line 33, leave out “Chief Inspector” and insert “Secretary of State”
Page 59, line 41, leave out “Chief Inspector” and insert “Secretary of State”
Page 59, line 43, leave out “Chief Inspector” and insert “Secretary of State”
Page 60, line 2, leave out “Chief Inspector” and insert “Secretary of State”
Page 60, line 5, leave out “Chief Inspector” and insert “Secretary of State”

Clause 105
Page 60, line 11, leave out “Chief Inspector” and insert “Secretary of State”
Page 60, line 18, leave out “Chief Inspector” and insert “Secretary of State”
Page 60, line 20, leave out “Chief Inspector’s” and insert “Secretary of State’s”

Clause 106
Page 60, line 32, leave out “Chief Inspector” and insert “Secretary of State”
Page 61, line 2, leave out “Chief Inspector” and insert “Secretary of State”
Page 61, line 6, leave out “Chief Inspector” and insert “Secretary of State”

Clause 108

Page 61, line 23, leave out “Chief Inspector” and insert “Secretary of State”
Page 61, line 26, leave out “Chief Inspector” and insert “Secretary of State”
Page 61, line 31, leave out “Chief Inspector” and insert “Secretary of State”
Page 61, line 33, leave out “Chief Inspector” and insert “Secretary of State”

Clause 109

Page 61, line 42, leave out “the Chief Inspector or”
Page 62, line 9, leave out “Chief Inspector” and insert “Secretary of State”
Page 62, line 18, leave out “Chief Inspector” and insert “Secretary of State”
Page 62, line 21, leave out “Chief Inspector” and insert “Secretary of State”

Clause 110

Page 62, line 30, leave out “Chief Inspector” and insert “Secretary of State”
Page 63, line 4, leave out “Chief Inspector” and insert “Secretary of State”
Page 63, line 6, leave out “Chief Inspector” and insert “Secretary of State”
Page 63, line 7, leave out from second “the” to end of line 8 and insert “First-tier Tribunal.”

Clause 111

Page 63, line 11, leave out “Chief Inspector” and insert “Secretary of State”
Page 63, line 21, leave out “Chief Inspector” and insert “Secretary of State”
Page 63, line 24, leave out “Chief Inspector’s” and insert “Secretary of State’s”

Clause 112

Page 64, line 11, leave out “Chief Inspector” and insert “Secretary of State”
Page 64, line 13, leave out “Chief Inspector” and insert “Secretary of State”
Page 64, line 20, leave out “Chief Inspector” and insert “Secretary of State”

Clause 113

Page 64, line 27, leave out from “with” to “or” in line 28 and insert “Tribunal Procedure Rules”
Page 64, line 28, leave out “Chief Inspector” and insert “Secretary of State”

Clause 114

Page 65, line 22, leave out “Chief Inspector” and insert “Secretary of State”
Clause 116

Page 65, line 38, leave out “Chief Inspector, the Chief Inspector” and insert “Secretary of State, the Secretary of State”

Page 65, line 40, leave out from “which” to end of line 41 and insert “appears to the Secretary of State to be relevant to the exercise of the appropriate authority’s functions under section 114 or by virtue of section 115.”

Page 66, line 4, leave out “Secretary of State” and insert “Chief Inspector”

Page 66, line 5, leave out from “which” to second “to” in line 6 and insert “appears to the Chief Inspector”

Page 66, line 14, leave out “Secretary of State” and insert “Chief Inspector”

Page 66, line 15, leave out “Chief Inspector, the Chief Inspector” and insert “Secretary of State, the Secretary of State”

Clause 117

Page 66, line 21, leave out first “Chief Inspector” and insert “Secretary of State”

Page 66, line 21, leave out second “Chief Inspector” and insert “Secretary of State”

Clause 120

Page 68, line 4, leave out “the Chief Inspector or”

After Clause 124

Insert the following new Clause—

“Transitional provision

Continuity of the law

(1) This section applies where—

(a) by virtue of one or more amendments made by paragraphs 20 to 29 of Schedule 1, a provision of or made under Chapter 1 of Part 10 of the Education Act 2002 (c. 32) (“the old provision”) that applied in relation to independent schools in England has ceased so to apply, and

(b) a provision of or made under this Chapter (“the new provision”) re-enacts, with or without modification, the old provision as it so applied.

(2) The amendment or amendments mentioned in subsection (1)(a) and the re-enactment mentioned in subsection (1)(b) do not affect the continuity of the law.

(3) Anything done (including any subordinate legislation made), or having effect as if done, under or for the purposes of the old provision that—

(a) could have been done under or for the purposes of the new provision (had the new provision then been in force), and

(b) is in force or effective immediately before the coming into force of the new provision,
has effect from that time as if done under or for the purposes of the new provision.

(4) Any reference (express or implied) in this Chapter or any other enactment, instrument or document to the new provision is to be construed (so far as the context permits) as including, as respects times, circumstances or purposes in relation to which the old provision had effect, a reference to the old provision.

(5) Any reference (express or implied) in any enactment, instrument or document to the old provision is to be construed (so far as the context permits), as respects times, circumstances and purposes in relation to which the new provision has effect, as being or (according to the context) including a reference to the new provision.

(6) This section has effect subject to any specific transitional provision of or made under this Act.

(7) In this section “subordinate legislation” has the same meaning as in the Interpretation Act 1978 (c. 30).

151 Insert the following new Clause—

“**The register and fees**

(1) On the coming into force of section 80, the register of independent schools in England becomes the register of independent educational institutions in England.

(2) The power in section 97(3)(d) to make provision prescribing circumstances in which the amount of a fee may be waived includes power to make such provision in relation to a fee (or any part of a fee) payable by virtue of section 162B(6) of the Education Act 2002 (fees payable to Chief Inspector).

152 Insert the following new Clause—

“**Prohibition on participation in management**

(1) A person falls within this subsection if—

(a) immediately before the relevant day the person is subject to a direction under section 142 of the Education Act 2002 (c. 32) given on grounds prescribed for the purposes of this section, and

(b) prescribed conditions (which may include conditions relating to decisions taken on or after the relevant day by the Independent Barring Board under the Safeguarding Vulnerable Groups Act 2006 (c. 47)) are satisfied in relation to the person.

(2) Regulations may provide that, as from a time specified in or determined in accordance with the regulations, persons who fall within subsection (1) are to be treated for prescribed purposes as if the direction given under section 142 of the Education Act 2002 (c. 32) were a direction given by the appropriate authority under section 114 of this Act.

(3) Regulations under this section may make provision in connection with the determination of any appeal under subsection (1) of section 144 of the Education Act 2002 (c. 32), or application for review under subsection (2) of that section, which is pending on the relevant day.
(4) Regulations made by virtue of subsection (3) may, in particular, provide for an appeal, or application for review, under section 144 of the Education Act 2002 (c. 32) to be treated as an appeal under section 115 of this Act.

(5) In this section—

“appropriate authority” has the same meaning as in sections 114 to 117 (see section 114(6));

“the relevant day” means the day on which section 114 comes into force.”

Clause 125

153 Page 70, leave out lines 7 and 8

154 Page 70, line 11, leave out “relevant” and insert “appropriate national”

155 Page 70, line 12, leave out “Chief Inspector” and insert “Secretary of State”

156 Page 70, line 13, at end insert—

“( ) Section 342 of that Act (approval of non-maintained special schools) is amended as follows.

( ) In subsection (1)—

(a) for “Secretary of State” substitute “appropriate national authority”;

(b) omit “his”.

( ) In subsection (5)(a) for “Secretary of State” substitute “appropriate national authority”.”

Clause 126

157 Leave out Clause 126

Clause 128

158 Page 71, line 6, leave out “Chief Inspector” and insert “Secretary of State”

Clause 129

159 Page 71, line 18, leave out “Chief Inspector” and insert “Secretary of State”

160 Page 71, line 20, leave out “Chief Inspector” and insert “Secretary of State”

161 Page 71, line 29, leave out “Chief Inspector” and insert “Secretary of State”

162 Page 71, line 33, leave out from “to” to “, and” in line 34 and insert “the First-tier Tribunal”

163 Page 71, line 37, leave out “Chief Inspector” and insert “Secretary of State”

164 Page 72, line 7, leave out from “to” to “, and” in line 8 and insert “the First-tier Tribunal”

Clause 131

165 Page 73, line 2, after “appropriate” insert “national”

166 Page 73, leave out lines 6 to 8
Clause 137

Page 90, line 24, at end insert—

“(2) In relation to a code for school admissions issued under section 84(1) of the School Standards and Framework Act 1998 (c. 31) after the passing of this Act, the requirement to consult which is imposed by section 85(2) of that Act may be satisfied by consultation undertaken before the passing of this Act, even though the code takes account (to any extent) of any provision made by this Act.”

Clause 138

Page 91, line 3, at end insert—

“( ) prohibiting a governing body from exercising the power conferred by subsection (1) in such a way that any pupil is required to receive educational provision outside the school premises for a greater number of days in a school year than is specified in the regulations,”

Page 91, line 5, leave out “any such requirement” and insert “a requirement under subsection (1)”

After Clause 139

Insert the following new Clause—

“National Curriculum for England: duty to implement assessment arrangements

(1) In section 88 of the Education Act 2002 (c. 32) (implementation of the National Curriculum for England in schools), in the existing provision (which becomes subsection (1)), at the end insert—

“This subsection does not apply in relation to assessment arrangements.”

(2) After that subsection insert—

“(1A) In relation to any maintained school—

(a) the local education authority and the governing body must exercise their functions with a view to securing, and

(b) the head teacher must secure,

that the assessment arrangements specified for the time being in the National Curriculum for England are implemented.”

Insert the following new Clause—

“Governing bodies of maintained schools to invite and consider pupils’ views

After section 29 of the Education Act 2002 (c. 32) insert—

“29A Governing body to invite and consider pupils’ views

(1) The governing body of a maintained school must invite the views of pupils about prescribed matters.

(2) In exercising any of their functions relating to the conduct of the school, the governing body of a maintained school must consider
any relevant views of registered pupils at the school about matters prescribed under subsection (1) (whether expressed by virtue of that subsection or otherwise) and, in doing so, must have regard to the age and understanding of the pupils who expressed them.

(3) For the purposes of subsection (1), a governing body invite the views of pupils about a matter if they invite the views of—
(a) all registered pupils at the school,
(b) such of those pupils as appear to the governing body to be affected by the matter, or
(c) pupils appearing to the governing body to be representative of pupils within paragraph (a) or (b).

(4) The following are the matters that may be prescribed under subsection (1)—
(a) the exercise, or proposed exercise, of a function of the governing body of a maintained school relating to the conduct of the school;
(b) the exercise, or proposed exercise, of such a function in a particular way.

(5) In discharging their duties under subsections (1) and (2), the governing body of a maintained school must have regard to any guidance given from time to time—
(a) in relation to England, by the Secretary of State, or
(b) in relation to Wales, by the Welsh Ministers.

(6) In this section, “prescribed” means—
(a) in relation to England, prescribed by the Secretary of State;
(b) in relation to Wales, prescribed by the Welsh Ministers.

(7) Nothing in this section affects any power or duty relating to consulting pupils which a governing body of a maintained school have otherwise than under this section.”

172 Insert the following new Clause—

“Consultation of pupils: existing functions

In section 176 of the Education Act 2002 (c. 32) (consultation with pupils), subsection (1) is amended as follows—
(a) in paragraph (a) (duty of local education authorities), after “authority” insert “in Wales”,
(b) omit paragraph (b) (duty of governing bodies), and
(c) for “the Secretary of State (in relation to England) or the National Assembly for Wales (in relation to Wales)” substitute “the Welsh Ministers”.”

Clause 147

173 Page 98, line 5, after “State” insert “or Lord Chancellor”

174 Page 98, line 9, leave out “or section 49” and insert—
“( ) regulations under section 22(2) or 28(3), other than regulations for the purpose only of making provision within subsection (3A),
( ) an order under section \((\text{Enforcement of non-participation fine etc: person reaching 18})\)(9) or \((\text{Enforcement of non-participation fine: further provisions})\)(3)

( ) regulations under section 49,"

175 Page 98, line 9, at end insert—

"( ) an order under section \((\text{Corresponding provision for Wales})\),"

176 Page 98, line 17, at end insert—

“(3A) Provision contained in regulations under section 22(2) or 28(3) falls within this subsection if it substitutes, for an amount for the time being specified in such regulations, a smaller amount.”

177 Page 98, line 17, at end insert—

“( ) Before a draft of an instrument containing an order under section \((\text{Corresponding provision for Wales})\) is laid before either House of Parliament, the Secretary of State must consult the Welsh Ministers.”

178 Page 98, line 18, after “State” insert “or Lord Chancellor”

179 Page 98, line 23, after “State” insert “or Lord Chancellor”

Clause 149

180 Page 98, line 35, at end insert—

“( ) In this Act unless the context otherwise requires—

“prescribed” means prescribed by regulations;

“regulations” means regulations made by the Secretary of State under this Act.”

Clause 154

181 Page 100, line 20, at end insert—

“( ) section \((\text{National Curriculum for England: duty to implement assessment arrangements})\);”

182 Page 100, line 25, after first “and” insert “88A to”

183 Page 100, line 37, at end insert—

“( ) sections \((\text{Governing bodies of maintained schools to invite and consider pupils’ views})\) and \((\text{Consultation of pupils: existing functions})\)(b) and (c);”

184 Page 100, line 40, at beginning insert “the following paragraphs of Schedule 1—

(i) ”

185 Page 100, line 40, leave out “58 to” and insert “59,”

186 Page 100, line 40, after “72” insert “, and, so far as relating to those paragraphs, paragraph 58;”

187 Page 100, line 40, leave out “of Schedule 1 (and)” and insert “, and

(ii) paragraph 82A,

(and)”

188 Page 100, line 41, leave out “paragraphs” and insert “provisions”
Page 101, line 4, at beginning insert “section 176 of and”

Page 101, line 10, leave out “The remaining” and insert “Subject to subsections (1) to (3), the”

Page 101, line 11, at end insert—

“( ) Before making an order under subsection (4) containing provision for the coming into force of section (Corresponding provision for Wales), the Secretary of State must consult the Welsh Ministers.”

Schedule 1

Page 102, line 7, leave out paragraphs 1 to 3

Page 103, line 4, leave out paragraph 6

Page 104, leave out line 32 and insert—

“( ) The Chief Inspector may provide to the appropriate authority any information relating to a person which appears to the Chief Inspector to be relevant to the exercise of the appropriate authority’s functions under section 167A or by virtue of section 167B.”

Page 106, line 32, after “Wales,” insert “the Chief Inspector,”

Page 106, line 32, leave out “, HMCI”

Page 106, leave out lines 37 and 38

Page 106, line 44, leave out “HMCI” and insert “the Secretary of State”

Page 107, leave out lines 3 and 4

Page 117, line 8, at end insert—

“Welfare Reform and Pensions Act 1999 (c. 30)

(1) Section 72 of the Welfare Reform and Pensions Act 1999 (c. 30) (supply of information for certain purposes) is amended as follows.

(2) In subsection (2)—
(a) after paragraph (c) insert—
   “(ca) a county council in England; and”;
(b) in paragraph (d) for “any such authority” substitute “any
   authority mentioned in paragraph (c) or (ca)”.

(3) In subsection (6) after “‘social security information’ means” insert
   “(subject to subsection (6A))”.

(4) After subsection (6) insert—
   “(6A) References in subsection (1)(a) and (b) to social security
   information held by a county council do not include social
   security information about any person to whom the council is not
   required to make support services available under section 54(1)
   of the Education and Skills Act 2008 (support services: provision
   by local education authorities).”

Page 117, line 34, at end insert—

“Education Act 2002 (c. 32)

82A After section 210 of the Education Act 2002 (c. 32) insert—

“210A Regulations under power conferred on Welsh Ministers after
implementation of Government of Wales Act 2006

(1) The power of the Welsh Ministers to make regulations under
section 29A is exercisable by statutory instrument.

(2) A statutory instrument containing any such regulations made by
the Welsh Ministers is subject to annulment in pursuance of a
resolution of the National Assembly for Wales.

(3) The power of the Welsh Ministers to make regulations under
section 29A includes power—
   (a) to make different provisions for different cases or areas,
   (b) to make provision generally or only in relation to specific
cases, and
   (c) to make such incidental, supplemental, saving or
transitional provisions as the Welsh Ministers think fit.

(4) Nothing in this Act shall be regarded as affecting the generality
of subsection (3).”

Page 118, line 18, at end insert—

“88A The Education and Inspections Act 2006 is amended as follows.

88B In section 74(3) (implementation of curriculum requirements for fourth
key stage)—
   (a) for the words from the beginning to “insert—” substitute “In
section 88 of EA 2002, after subsection (1A) insert—”;
   (b) in subsection (2) of the inserted text, for “subsection (1)” substitute “subsections (1) and (1A)”.

Page 118, line 19, leave out “of the Education and Inspections Act 2006”

Page 118, line 30, at end insert—
“Criminal Justice and Immigration Act 2008 (c. 4)

(1) Schedule 7 to the Criminal Justice and Immigration Act 2008 (c. 4) (youth default orders: modification of provisions applying to youth rehabilitation orders) is amended as follows.

(2) In paragraph 5 (enforcement, revocation and amendment of youth default order), in sub-paragraph (1), at the end add “but subject to paragraph 5A”.

(3) After that paragraph insert—

“Enforcement, revocation and amendment: order made in respect of conviction under section 45 of the Education and Skills Act 2008

5A (1) This paragraph applies where—
(a) a youth default order has been made in a person’s case in respect of a fine imposed on conviction of an offence under section 45 of the Education and Skills Act 2008 (offence relating to failure to participate in education or training), and
(b) the person has reached the age of 18.

(2) Paragraph 5 has effect as if sub-paragraph (3) provided for any power of the court to revoke a youth rehabilitation order and deal with the offender for the offence to be taken to be a power to—
(a) revoke the youth default order, and
(b) specify the amount of the relevant sum (within the meaning given by section (Non-participation fines: interpretation) of the Education and Skills Act 2008) that, having regard to the extent if any to which the person has complied with the order, is to be treated as remaining unpaid and, accordingly, to be enforceable by virtue of section (Enforcement of non-participation fine etc: person reaching 18) of that Act.”

Schedule 2

212 Page 118, line 36, leave out from beginning to end of line 5 on page 119

213 Page 119, line 28, at end insert—

“In section 72(2), the word “and” following paragraph (c).”

214 Page 120, line 24, at end insert—

“In section 176, in subsection (1), paragraph (b) and the word “and” preceding it.”

215 Page 120, line 27, leave out “paragraphs 5(2)(a) and” and insert “paragraph”
LORDS AMENDMENTS TO THE EDUCATION AND SKILLS BILL

Ordered, by The House of Commons, to be Printed, 11th November 2008.