



# Education Act 1967

## 1967 CHAPTER 3

An Act to enlarge the powers of the Secretary of State to make contributions, grants and loans in respect of aided schools and special agreement schools and to direct local education authorities to pay the expenses of establishing or enlarging controlled schools; and to provide for loans for capital expenditure incurred for purposes of colleges of education by persons other than local education authorities. [16th February 1967]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### **1 Extended powers to make contributions, grants and loans.**

- (1) In sections 102 and 103 of the Education Act 1944 (which, as amended by section 1(1) of the Education Act 1959, provide for the making by the Secretary of State of contributions equal to or grants not exceeding three-quarters of certain expenses incurred in the maintenance or provision of aided schools and special agreement schools) for the words " three-quarters " there shall be substituted the words " four-fifths ".
- (2) Where the Secretary of State—
  - (a) has approved proposals submitted to him under section 13(2) of the Education Act 1944 that a school proposed to be established should be maintained by a local education authority as a voluntary school and has directed that the proposed school shall be an aided school or special agreement school; or
  - (b) has determined under section 67(4) of that Act that alterations to the school premises of an aided school or of a special agreement school would amount to the establishment of a new school and has approved proposals with respect to the school submitted to him under the said section 13(2);

he may, out of moneys provided by Parliament, pay to the managers or governors of the school, in respect of any sums expended by them on the provision of a site for the school or of the school buildings, a grant not exceeding four-fifths of those sums; but

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*Status: This is the original version (as it was originally enacted).*

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no such grant shall be payable to the managers or governors of a special agreement school in respect of any sums expended by them in the execution of proposals to which the special agreement for the school relates.

- (3) Subsection (3) of section 103 of the Education Act 1944 (which makes provision for the exercise of the Secretary of State's discretion in determining the amount of grants under that section) shall, with the necessary modifications, apply to grants under subsection (2) of this section.
- (4) For the purposes of section 105 of the Education Act 1944 (which authorises the Secretary of State to make loans to the managers or governors of aided schools and special agreement schools for certain initial expenses involving capital expenditure) any expenses in respect of which the Secretary of State may make a grant under subsection (2) of this section shall be included in the expression "initial expenses", and in determining the managers' or governors' share of any initial expenses the amount of any such grant paid or payable in respect of them shall be taken into account in the same way as grants under section 103 of that Act.
- (5) The following provisions, being superseded by this section, shall cease to have effect (subject to subsection (6) of this section), that is to say—
- (a) in section 103 of the Education Act 1944, in subsection (1) the words from "or directs" to "discontinued" and the words "or any school to be established", and in subsection (3) the words from "or of the sites" to the end;
  - (b) section 104 of that Act;
  - (c) section 1 of the Education (Miscellaneous Provisions) Act 1953 and, in section 8 of that Act, paragraph (b) of subsection (1) and the word "and" preceding that paragraph, and subsection (2); and
  - (d) section 1 of the Education Act 1959, except subsection (4) of that section.
- (6) Nothing in this section shall extend to contributions or grants in respect of expenditure on work which—
- (a) was begun before 4th July 1966; or
  - (b) was approved by the Secretary of State before that date under section 13(6) of the Education Act 1944 or under any arrangements relating to work to which that section does not apply; or
  - (c) was included in a programme notified to a local education authority as the main building programme approved by the Secretary of State for the twelve months beginning with April 1966 or for any earlier period;
- or in respect of expenditure on the provision of the site on which or buildings to which any such work was done or proposed to be done.

## **2 Enlargement of controlled schools.**

In section 1 of the Education Act 1946 (which, as amended by section 3 of the Education (Miscellaneous Provisions) Act 1953, enables the Secretary of State to direct that the expenses of giving effect to proposals for enlarging the premises of a controlled school shall be payable by the local education authority if the enlargement is in the interest of secondary education and is not likely to amount to the establishment of a school of a new character)—

- (a) before the word "secondary", in both places where it occurs, there shall be inserted the words "primary or"; and
- (b) the words from "and is not likely" to "new character" shall be omitted.

**3 Extension of power to require local education authority to defray expenses of establishing controlled middle school.**

Where persons other than a local education authority submit proposals to the Secretary of State under section 13 of the Education Act 1944 for the establishment of a new school and its maintenance by the local education authority as a voluntary school, and the proposals make provision as mentioned in section 1(1) of the Education Act 1964 (new schools with special age limits), section 2 of the Education (Miscellaneous Provisions) Act 1953 (power to require local education authority to defray expenses of establishing controlled school) shall apply in relation to the school established in pursuance of the proposals as if in paragraph (b) of that section (which limits the power conferred by it to cases where the new school is required for pupils for whom accommodation in some other voluntary school has ceased to be available) after the words " for whom " there were inserted the words " or for a substantial proportion of whom ".

**4 Loans for capital expenditure for purposes of colleges of education.**

- (1) The Secretary of State may by regulations make provision for the making by him out of moneys provided by Parliament of loans to persons other than local education authorities for the purpose of helping them to meet capital expenditure incurred or to be incurred by them or on their behalf in connection with the provision, replacement, extension, improvement, furnishing or equipment of colleges for the training of teachers.
- (2) Any loan made to any persons in pursuance of regulations under this section shall be made on such terms and conditions as may be specified in an agreement made between the Secretary of State and those persons with the consent of the Treasury.
- (3) Regulations under this section may make the making of loans dependent on the fulfilment of such conditions as may be determined by or in accordance with the regulations, and may also make provision for requiring persons to whom loans have been made in pursuance of the regulations to comply with such requirements as may be so determined.
- (4) Regulations under this section shall be made by statutory instrument, which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

**5 Expenses.**

There shall be defrayed out of moneys provided by Parliament any increase attributable to this Act in the sums so payable under any other enactment.

**6 Short title, citation, construction and extent.**

- (1) This Act may be cited as the Education Act 1967 and this Act and the Education Acts 1944 to 1965 may be cited together as the Education Acts 1944 to 1967.
- (2) This Act shall be construed as one with the Education Acts 1944 to 1965.
- (3) This Act does not extend to Scotland or to Northern Ireland.