



Education Act 1993

1993 CHAPTER 35

PART VI

MISCELLANEOUS

Local education authority finance

278 Grants for education support and training

- (1) Section 1 of the Education (Grants and Awards) Act 1984 (education support grants) is amended as follows.
- (2) For “education support grants” and “education support grant”, in each place where one of those expressions appears, there is substituted “grants for education support and training” or, as the case may be, “grant for education support and training”.
- (3) In subsection (3)(b) “not exceeding 70 per cent. of the expenditure so approved” is omitted.
- (4) After subsection (4) there is inserted—
 - “(4A) Conditions and requirements determined under subsection (4)(b) and (c) above may include conditions and requirements obliging the local education authority to delegate decisions about the spending of—
 - (a) grant for education support and training, and
 - (b) amounts allocated by the authority to meet prescribed expenditure which is approved by the Secretary of State,to such persons as may be determined by or in accordance with the regulations.”
- (5) In section 3 of that Act (regulations), subsections (2) and (5) and, in subsection (3), the words “not being regulations to which subsection (2) above applies” are omitted.
- (6) In section 50(1) of the Education (No. 2) Act 1986 (grants for teacher training, etc.)—

Status: This is the original version (as it was originally enacted).

- (a) for “local education authorities and other persons” there is substituted “persons other than local education authorities”, and
- (b) for the words from the end of paragraph (a) to the end of the subsection there is substituted—

“and

- (b) such other classes of person as may be prescribed”.

279 Inter-authority recoupment

- (1) In section 51 of the Education (No. 2) Act 1986 (recoupment), for subsections (1) to (4) there is substituted—

“(1) The Secretary of State may by regulations provide, in relation to cases where any provision for education to which this section applies is made by a local education authority in respect of a person who belongs to the area of another such authority, for requiring or authorising the other authority to pay to the providing authority—

- (a) such amount as the authorities may agree; or
- (b) failing agreement, such amount as may be determined by or under the regulations.

(2) This section applies to primary, secondary and further education and to part-time education for those who have not attained the age of five years.

(3) The regulations may provide for the amounts payable by one authority to another—

- (a) to reflect the whole or any part of the average costs incurred by local education authorities in the provision of education (whether in England and Wales as a whole or in any particular area or areas); and
- (b) to be based on figures for average costs determined by such body or bodies representing local education authorities, or on such other figures relating to costs so incurred, as the Secretary of State considers appropriate.

(4) The regulations may provide for the amounts so payable, in such cases as may be specified in or determined in accordance with the regulations, to be such amounts as may be determined by the Secretary of State.”

- (2) In section 63 of that Act (orders and regulations)—

- (a) in subsection (2) after “section” there is inserted “51 or”, and
- (b) after that subsection there is inserted—

“(2A) No regulations may be made under section 51 of this Act unless a draft has been laid before and approved by resolution of each House of Parliament.”