



Education Act 1996

1996 CHAPTER 56

PART IX

ANCILLARY FUNCTIONS

CHAPTER II

ANCILLARY FUNCTIONS OF LOCAL EDUCATION AUTHORITIES

Payment of fees

517 Payment of fees at schools not maintained by a local education authority

- (1) Where, in pursuance of arrangements made under section 18 or Part IV (special educational needs), primary or secondary education is provided for a pupil at a school not maintained by them or another local education authority, the local education authority by whom the arrangements are made shall—
 - (a) if subsection (2), (3) or (4) applies, pay the whole of the fees payable in respect of the education provided in pursuance of the arrangements; and
 - (b) if board and lodging are provided for the pupil at the school and subsection (5) applies, pay the whole of the fees payable in respect of the board and lodging.
- (2) This subsection applies where—
 - (a) the pupil fills a place in the school which the proprietor of the school has put at the disposal of the authority; and
 - (b) the school is one in respect of which grants are made by the Secretary of State under section 485.
- (3) This subsection applies where the authority are satisfied that, by reason of a shortage of places in every school maintained by them or another local education authority to which the pupil could be sent with reasonable convenience, education suitable—
 - (a) to his age, ability and aptitude, and

Status: This is the original version (as it was originally enacted).

- (b) to any special educational needs he may have,
cannot be provided by them for him except at a school not maintained by them or another local education authority.
- (4) This subsection applies where (in a case in which neither subsection (2) nor subsection (3) applies) the authority are satisfied—
 - (a) that the pupil has special educational needs, and
 - (b) that it is expedient in his interests that the required special educational provision should be made for him at a school not maintained by them or another local education authority.
- (5) This subsection applies where the authority are satisfied that education suitable—
 - (a) to the pupil’s age, ability and aptitude, and
 - (b) to any special educational needs he may have,
cannot be provided by them for him at any school unless board and lodging are also provided for him (either at school or elsewhere)
- (6) As from such day as the Secretary of State may by order appoint this section shall have effect with the following modifications—
 - (a) in subsections (1) and (3), for “not maintained by them or another local education authority” substitute “which is neither a maintained nor a grant-maintained school”;
 - (b) in subsection (3), for “every school maintained by them or another local education authority” substitute “every maintained or grant-maintained school”;
 - (c) in subsections (3) and (5), for “provided by them” substitute “provided”;
 - (d) omit subsection (4) and the reference to it in subsection (1); and
 - (e) at the end add—
 - “(7) In this section “grant-maintained school” includes a grant-maintained special school, and subsection (5) does not apply where section 348(2) applies.”
- (7) An order under subsection (6) may appoint different days for different provisions and for different purposes.

518 Payment of school fees and expenses; grant of scholarships etc

Regulations shall empower local education authorities, for the purpose of enabling persons to take advantage without hardship to themselves or their parents of any educational facilities available to them—

- (a) to defray such expenses of children attending county, voluntary, grant-maintained or special schools as may be necessary to enable them to take part in any school activities, and
- (b) to pay the whole or any part of the fees and expenses payable in respect of children attending schools at which fees are payable, and
- (c) to grant scholarships, exhibitions, bursaries and other allowances in respect of persons over compulsory school age.