



Education Reform Act 1988

1988 CHAPTER 40

PART II

HIGHER AND FURTHER EDUCATION

CHAPTER III

FINANCE AND GOVERNMENT OF LOCALLY FUNDED FURTHER AND HIGHER EDUCATION

Miscellaneous and supplementary

155 Interpretation of Chapter III and supplementary provisions

- (1) In this Chapter—
- (a) references to a scheme are references—
 - (i) to a scheme made by a local education authority under section 139 of this Act; and
 - (ii) in a context referring to a particular local education authority, to a scheme so made by that authority;
 - (b) references to an institution's budget share for any financial year—
 - (i) shall be read in accordance with subsection (2)(a) of that section; and
 - (ii) include references to that share as from time to time revised in accordance with the scheme under which it is determined;
 - (c) references to an institution in respect of which financial delegation is required for any financial year shall be read in accordance with subsection (5)(a) of that section;
 - (d) references to an institution which has a delegated budget shall be read in accordance with subsection (5)(b) of that section;
 - (e) any reference to the delegation by a local education authority to the governing body of any institution of the management of the institution's budget share for any financial year shall be read in accordance with subsection (5)(c) of that

Status: *This is the original version (as it was originally enacted).*

section, in any case where the institution is an institution assisted by a local education authority; and

- (f) references to the further and higher education budget of a local education authority for any financial year are references to the amount appropriated by the authority for meeting expenditure in that year for the purposes of the exercise of their further or higher education functions.
- (2) References in this Chapter to the delegation requirement under any scheme shall be read in accordance with section 144(3).
- (3) It shall be for the Secretary of State to determine any question arising under a scheme as to whether an institution required to be covered by the scheme is within the delegation requirement under the scheme.