



Education Act 1996

1996 CHAPTER 56

PART X

MISCELLANEOUS AND GENERAL

CHAPTER I

EDUCATIONAL PREMISES

Required standards for educational premises

542 Prescribed standards for school premises

- (1) Regulations shall prescribe the standards to which the premises of schools maintained by local education authorities and of grant-maintained schools are to conform; and without prejudice to the generality of section 569(4) different standards may be prescribed for such descriptions of schools as are specified in the regulations.
- (2) Where a school is maintained by a local education authority, the authority shall secure that the school premises conform to the prescribed standards.
- (3) Where a school is a grant-maintained school, the governing body shall secure that the school premises conform to the prescribed standards.
- (4) Subsections (2) and (3) have effect subject to section 543.

543 Relaxation of prescribed standards in special cases

- (1) Where subsection (2), (3) or (4) applies in relation to a school, the Secretary of State may direct that, despite the fact that the prescribed requirement referred to in that subsection is not satisfied, the school premises shall be taken, as respects the matters specified in the direction, to conform to the standards prescribed under section 542 so long as—

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- (a) the direction remains in force, and
 - (b) any conditions specified in the direction as respects those matters are observed.
- (2) This subsection applies if the Secretary of State is satisfied, having regard—
- (a) to the nature of the school’s existing site,
 - (b) to any existing buildings on the site, or
 - (c) to other special circumstances affecting the school premises,
- that it would be unreasonable to require conformity with any prescribed requirement as to any matter.
- (3) This subsection applies if—
- (a) the school is to have an additional or new site, and
 - (b) the Secretary of State is satisfied, having regard to the shortage of suitable sites, that it would be unreasonable to require conformity with any prescribed requirement relating to sites.
- (4) This subsection applies if—
- (a) the school is to have additional buildings, or is to be transferred to a new site,
 - (b) existing buildings not previously part of the school premises, or temporary buildings, are to be used for that purpose, and
 - (c) the Secretary of State is satisfied, having regard to the need to control public expenditure in the interests of the national economy, that it would be unreasonable to require conformity with any prescribed requirement relating to buildings.
- (5) In this section “prescribed requirement” means a requirement of regulations under section 542.

544 Approval etc. of school premises and boarding hostels

- (1) Regulations may make provision requiring the Secretary of State’s approval (or, in such cases as may be prescribed, the approval of the funding authority) to be obtained for the provision of new premises for, or the alteration of the premises of—
- (a) any school to which this section applies, or
 - (b) any boarding hostel provided by a local education authority for persons receiving education at any such school.
- (2) Regulations may make provision for the inspection of any such hostel.
- (3) The schools to which this section applies are—
- (a) any school maintained by a local education authority,
 - (b) any grant-maintained school, and
 - (c) any special school not maintained by a local education authority.

545 Exemption from building byelaws of approved buildings

- (1) Where plans for, or particulars in respect of, a building required for the purposes of any school or other educational institution are approved by the Secretary of State, he may by order direct that any provision of a local Act or of a byelaw made under such an Act—
- (a) shall not apply in relation to the building, or

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- (b) shall apply in relation to it with such modifications as may be specified in the order.
- (2) The reference in subsection (1) to plans or particulars approved by the Secretary of State includes a reference to—
- (a) particulars submitted to and approved by him under regulations under section 544 or section 218(7) of the Education Reform Act 1988, or
 - (b) particulars given in pursuance of section 428(2)(b).