



Education Act 1996

1996 CHAPTER 56

PART IX

ANCILLARY FUNCTIONS

CHAPTER II

ANCILLARY FUNCTIONS OF ^[F1]LOCAL AUTHORITIES]

Provision of services

^[F2]512 ^[F1]Local authority]functions concerning provision of meals, etc.

- (1) A ^[F1]local authority] may provide—
 - (a) registered pupils at any school maintained by the authority,
 - (b) other persons who receive education at such a school, and
 - (c) children who receive ^[F3]relevant funded early years education],
with milk, meals and other refreshments.
- (2) Where provision is made under subsection (1), it shall be made—
 - (a) in a case within paragraph (a) or (b) of that subsection, either on the school premises or at any other place where education is being provided, and
 - (b) in a case within paragraph (c) of that subsection, at any place where education is being provided.
- (3) A ^[F1]local authority] shall exercise their power under subsection (1) to provide school lunches for any person within paragraph (a) or (c) of that subsection if—
 - (a) any prescribed requirements are met,
 - (b) a request for the provision of school lunches has been made by or on behalf of that person to the authority, and
 - (c) either—

Changes to legislation: Education Act 1996, Section 512 is up to date with all changes known to be in force on or before 03 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (i) that person is eligible for free lunches (within the meaning of section 512ZB(2)), or
 - (ii) in the case of a person within subsection (1)(a), it would not be unreasonable for the authority to provide the lunches.
- (4) Subject to ^[F4]section 114A(4) of the School Standards and Framework Act 1998 (requirements for food and drink provided on school premises etc), any school lunches provided by a ^[F1]local authority^[F5] in England] pursuant to subsection (3) may take such form as the authority think fit.
- ^[F6](4A) Subject to section 4 of the Healthy Eating in Schools (Wales) Measure 2009, any school lunches provided by a local authority in Wales pursuant to subsection (3) may take such form as the authority think fit.]
- (5) A ^[F1]local authority] shall provide at any school maintained by them such facilities as they consider appropriate for the consumption of any meals or other refreshment brought to the school by registered pupils.
- (6) In this section—
- “prescribed” means prescribed by the Secretary of State by order;
 - ^[F7]“relevant funded early years education”, in relation to a ^[F1]local authority] in England, means early years provision as defined by section 20 of the Childcare Act 2006 which is provided by a person, other than the governing body of a maintained school (within the meaning of section 20(7) of the School Standards and Framework Act 1998) or a maintained nursery school, under arrangements made by a local authority in pursuance of the duty imposed by section 7 of the 2006 Act (duty to secure prescribed early years provision free of charge);
 - “relevant funded early years education”, in relation to a ^[F1]local authority] in Wales, means education provided by a person other than the governing body of a maintained school (within the meaning of section 20(7) of the School Standards and Framework Act 1998) or a maintained nursery school—
 - (a) under arrangements made with that person by the authority in pursuance of the duty imposed on the authority by section 118 of that Act (duty of ^[F1]local authority] to secure sufficient nursery education), and
 - (b) in consideration of financial assistance provided by the authority under those arrangements.]
 - “school lunch”—
 - (a) in relation to a pupil, means food made available for consumption by the pupil as his midday meal on a school day, and
 - (b) in relation to a child receiving relevant funded nursery education at an establishment other than a school, means food made available for consumption by the child as his midday meal on a day on which he receives that education,
- whether involving a set meal or the selection of items by him or otherwise; and references, in relation to a ^[F1]local authority], to a school maintained by the authority are to a community, foundation or voluntary school, a community or foundation special school, a maintained nursery school or a pupil referral unit maintained by the authority.]

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Textual Amendments

- F1** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children’s Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 7(2)** (with Sch. 2 para. 7(4)(5))
- F2** Ss. 512-512ZB substituted for s. 512 (31.3.2003 for W. for specified purposes, 6.4.2003 for E. for specified purposes) by [Education Act 2002 \(c. 32\)](#), **ss. 201(1)**, 216(4) (with ss. 210(8), 214(4)); S.I. 2002/3185, **art. 5**, **Sch. Pt. II**; S.I. 2003/124, **art. 5** (with art. 6)
- F3** Words in s. 512(1)(c) substituted (1.9.2008 for E.) by [Childcare Act 2006 \(c. 21\)](#), s. 109(2), **Sch. 2 para. 24(a)**; S.I. 2008/2261, **art. 2** (with Sch. 1)
- F4** Words in s. 512(4) substituted (8.11.2006) by [Education and Inspections Act 2006 \(c. 40\)](#), **ss. 86(2)**, 188(1) (with s. 86(3))
- F5** Words in s. 512(4) inserted (2.9.2013) by [Healthy Eating in Schools \(Wales\) Measure 2009 \(nawm 3\)](#), **ss. 8(2)(a)**, 12(3); S.I. 2013/1985, **art. 2(b)**
- F6** S. 512(4A) inserted (2.9.2013) by [Healthy Eating in Schools \(Wales\) Measure 2009 \(nawm 3\)](#), **ss. 8(2)(b)**, 12(3); S.I. 2013/1985, **art. 2(b)**
- F7** Words in s. 512(6) substituted (1.9.2008 for E.) by [Childcare Act 2006 \(c. 21\)](#), s. 109(2), **Sch. 2 para. 24(b)**; S.I. 2008/2261, **art. 2** (with Sch. 1)

Modifications etc. (not altering text)

- C1** S. 512: certain functions transferred (with modifications) (1.4.1999) by [S.I. 1999/610](#), **arts. 2, 3**

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(2)(ba) substituted for s. 13(2)(aa)(b) by [2022 asc 1 Sch. 4 para. 8\(2\)](#)
- s. 15A(3A) inserted by [2022 asc 1 Sch. 4 para. 8\(3\)](#)
- s. 15B(3)(c) inserted by [2022 asc 1 Sch. 4 para. 8\(4\)](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/1012 art. 12\(1\)Sch. 2 para. 3](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/863 Sch. 2 para. 4](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/865 Sch. 2 para. 3](#)
- s. 17A functions made exercisable concurrently by [S.I. 2016/653 Sch. 3 para. 3](#)
- s. 17A-17D inserted by [2009 c. 22 s. 45](#)
- s. 17B-17D applied by [2009 c. 22 s. 86\(8\)](#)
- s. 457(4)(i)-(iia) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 457(4)(iii) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 508(4) inserted by [2022 asc 1 Sch. 4 para. 8\(7\)](#)
- s. 537AA inserted by [2008 c. 25 Sch. 1 para. 8](#)
- s. 548(7A)(7B) inserted by [2008 c. 25 Sch. 1 para. 9\(5\)](#)
- s. 578(1) words repealed by [2005 c. 18 Sch. 19 Pt. 1](#)