
STATUTORY INSTRUMENTS

1991 No. 1890

EDUCATION, ENGLAND AND WALES

**The Education (Financial Delegation
for Primary Schools) Regulations 1991**

Made - - - - *20th August 1991*
Laid before Parliament *30th August 1991*
Coming into force - - *30th September 1991*

In exercise of the powers conferred on the Secretary of State by sections 41(1)(b) and 232(5) of the Education Reform Act 1988⁽¹⁾, the Secretary of State for Education and Science hereby makes the following Regulations:

Citation, commencement, extent and interpretation

1. –

(1) These Regulations may be cited as the Education (Financial Delegation for Primary Schools) Regulations 1991 and shall come into force on 30th September 1991.

(2) These Regulations extend to England only.

(3) In these Regulations “the Act” means the Education Reform Act 1988.

Amendments to the Act

2. –

(1) Section 39(1) of the Act is amended by the omission of the word “secondary”.

(2) The other provisions of section 39 and the provisions of section 51 of the Act, being provisions in which amendments appear to the Secretary of State to be required in consequence of the amendment made by paragraph (1) above, are amended as follows—

(a) by the omission of subsections (2), (3), (4)(b) and (6) to (9) of section 39;

(b) by the omission in subsection 4(a) of section 39 of the words “in relation to a secondary school required to be covered by the scheme in any financial year”; and

(c) by the omission of subsection (7) of section 51.

(1) 1988 c. 40.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(3) Paragraph 2 of Schedule 4 to the Act is amended by the omission in sub-paragraph (6) of the words “which is a secondary school” and of sub-paragraph (7).

20th August 1991

Michael Fallon
Parliamentary Under Secretary of State,
Department of Education and Science

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 39 of the Education Reform Act 1988 requires schemes for financing county and voluntary schools made under Chapter III of Part I of the Act to provide for the delegation by the local education authority concerned to the governing bodies of all secondary schools and primary schools with 200 or more registered pupils maintained by them of the management of each school's budget share for each financial year. Under section 41 of the Act the Secretary of State is empowered to amend section 39 and to make consequential amendments to other provisions of Chapter III, so as to require schemes to provide for financial delegation to all primary schools.

These Regulations amend section 39, so that from 30th September 1991 it requires schemes to provide for financial delegation to all county and voluntary schools, and make consequential amendments to other provisions of Chapter III of, and Schedule 4 to, that Act. By virtue of section 40 of the Act a scheme's provision for financial delegation will not apply during the scheme's "initial period" (a period of 3 years from the scheme's entry into force) until a date specified in the scheme.