
STATUTORY INSTRUMENTS

1993 No. 3070

EDUCATION, ENGLAND AND WALES

**The Education (Publication of Schemes
for Financing Schools) Regulations 1993**

Made - - - - *1st December 1993*
Laid before Parliament *10th December 1993*
Coming into force - - *1st January 1994*

In exercise of the powers conferred by section 42(1) of the Education Reform Act 1988(1) the Secretary of State for Education, as respects England, and the Secretary of State for Wales, as respects Wales, hereby make the following Regulations:

Citation, commencement, interpretation and revocation

1.—(1) These Regulations may be cited as the Education (Publication of Schemes for Financing Schools) Regulations 1993 and shall come into force on 1st January 1994.

(2) In these Regulations—

“the Act” means the Education Reform Act 1988; and

“scheme” means a scheme made by a local education authority under section 33 of the Act (schemes for financing schools maintained by local education authorities).

(3) The Education (Publication of Schemes for Financing Schools) Regulations 1989(2) are revoked.

Manner of publication of schemes

2. For the purposes of section 42(1) of the Act (prescribed manner of publication of schemes) a scheme shall be published by—

(a) furnishing a copy to the governing body and a copy to the head teacher of—

(i) each school to which the scheme relates;

(ii) each grant-maintained school in the area of the local education authority concerned;
and

(1) 1988 c. 40. For the expression “prescribed” see section 235(7) of the Education Reform Act 1988 and section 114(1) of the Education Act 1944 (c. 31), and for the transfer of functions to the Secretary of State see S.I. 1964/490, 1970/1536 and 1978/274.
(2) S.I. 1989/2335.

- (iii) each grant-maintained special school which is established under section 183 of the Education Act 1993⁽³⁾ in the authority's area or which, before becoming a grant-maintained special school, was a special school maintained by the authority⁽⁴⁾; and
- (b) making a copy available for reference by parents and other persons at all reasonable times and without charge at—
 - (i) each school to which the scheme relates;
 - (ii) each education office of the authority; and
 - (iii) each public library in the area of the authority.

Occasions when schemes require publication

3. For the purposes of section 42(1)(b) of the Act (prescribed occasions on which publication of schemes is required) a scheme shall be published on the coming into force of any revision of it.

26th November 1993

John Patten
Secretary of State for Education

1st December 1993

John Redwood
Secretary of State for Wales

⁽³⁾ 1993 c. 35.

⁽⁴⁾ Provision for a maintained special school to become a grant-maintained special school is made by section 186 of the Education Act 1993. Sections 183 and 186 of that Act are not in force at the date of these Regulations.

EXPLANATORY NOTE

(This note is not part of the Regulation)

These Regulations replace with modifications the Education (Publication of Schemes for Financing Schools) Regulations 1989 which are revoked.

The Regulations extend the requirements for publication by local education authorities of their schemes for financing schools maintained by them by requiring copies to be furnished to the governing body and head teacher of each grant-maintained school in their area and (when the relevant provisions of the Education Act 1993 come into force) each grant-maintained special school established in the authority's area or which, before becoming such a school, was a special school maintained by the authority (*regulation 2*).

In consequence of the substitution of a new section 35 of the Education Reform Act 1988 by section 274(2) of the Education Act 1993 the Regulations extend the requirement to publish a scheme on the entry into force of a variation made by direction of the Secretary of State to require publication on the entry into force of any revision of a scheme (*regulation 3*).