

---

STATUTORY INSTRUMENTS

---

**2002 No. 906**

**The Regulatory Reform (Voluntary Aided Schools  
Liabilities and Funding) (England) Order 2002**

**New paragraph 3 of Schedule 3 to the 1998 Act**

**5.** For Paragraph 3 of Schedule 3 to the 1998 Act there shall be substituted the following paragraph—

“**3.**—(1) In the case of a voluntary aided school, the governing body of the school are responsible for meeting all capital expenditure in relation to the school premises subject to sub-paragraph (2) below.

(2) The duty in sub-paragraph (1) does not extend—

- (a) to capital expenditure in relation to playing fields or any building or other structure erected thereon in connection with the use of playing fields, but does extend to capital expenditure in relation to boundary walls and fences;
- (b) to capital expenditure necessary in consequence of the use of the school premises, in pursuance of a direction or requirement of the local education authority, for purposes other than those of the school;
- (c) to capital expenditure on the provision of any new site which the local education authority is to provide by virtue of paragraph 4 of this Schedule.

(3) For the purposes of this Schedule “capital expenditure” has the meaning given by Article 13 of The Regulatory Reform (Voluntary Aided Schools Liabilities and Funding) (England) Order 2002, as it has effect from time to time.”