
STATUTORY INSTRUMENTS

2012 No. 1107

**The Wiltshire Council (Arrangements for the
Provision of Suitable Education) Order 2012**

PART 3

Consequential modifications

The Education Act 1996

6.—(1) The Education Act 1996(1) is modified as follows.

(2) In section 19(3A) (exceptional provision of education in pupil referral units or elsewhere), after “made by” insert “a proprietor exercising (by virtue of an order made under section 2(1) of the Education Act 2002) the duty conferred on”.

(3) Section 494 (recoupment: excluded pupils) is modified as follows—

- (a) in paragraph (1), for “by another” substitute “in the area of another”;
- (b) in paragraph (2), for “The old authority” substitute “If the pupil is provided with education at a school maintained by the new authority, the proprietor of the school in the old authority (“the proprietor”)”; and
- (c) after paragraph (2) insert—

“(2A) If the pupil is provided with education in the area of the new authority otherwise than at school, the proprietor must pay that amount to the provider of the education.”.

(4) In section 537B(9) (provision of information about children receiving funded education outside school), for the definition of “funded education” substitute—

““funded education” means education provided in the area of a local authority under arrangements made by a proprietor exercising (by virtue of an order made under section 2(1) of the Education Act 2002) the duty conferred on that local authority by section 19(1) (duty to make special arrangements for provision of education for children of compulsory school age who may not otherwise receive suitable education), other than such education provided at a school;”.