



# Education Reform Act 1988

## 1988 CHAPTER 40

### PART IV

#### MISCELLANEOUS AND GENERAL

##### *Supplementary*

#### **234 Meaning of “assisted” for the purposes of the 1944 Act and Acts construed as one with it**

- (1) Neither a university nor any institution within the PCFC funding sector shall be regarded for the purposes of the 1944 Act (or any Act construed as one with it) as an institution assisted by a local education authority by virtue of the making to that university or institution by any such authority of any grant in respect of the university or institution or any payment in consideration of the provision of educational facilities at the university or institution.
- (2) Accordingly, in section 114 of that Act (interpretation)—
  - (a) at the beginning of subsection (2) (which provides in paragraph (b) that a school or institution is to be deemed for the purposes of that Act to be assisted by a local education authority if any such grant or payment is made by the authority to the persons responsible for the maintenance of the school or institution) there shall be inserted the words “Subject to subsection (2A) of this section”; and
  - (b) the following subsection shall be inserted after that subsection—

“(2A) Neither a university nor any institution within the PCFC funding sector shall be deemed under subsection (2)(b) of this section to be assisted by a local education authority by virtue of the making by that authority to the persons responsible for the maintenance of that university or institution of any such grant or payment as is there mentioned.”.
- (3) In paragraph (b) of that subsection—

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*Status: This is the original version (as it was originally enacted).*

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- (a) for the words “training college or other institution which is not so maintained” there shall be substituted the words “institution other than a school”; and
  - (b) the word “college”, in the second and third places where it occurs, shall be omitted.
- (4) In subsection (1) of that section, in the definition of “assist” (which refers to the meaning assigned by subsection (2) of that section)—
- (a) the word “college” shall be omitted; and
  - (b) for the words “subsection (2)” there shall be substituted the words “subsections (2) and (2A)”.