

Status: Point in time view as at 01/04/1994.

Changes to legislation: There are currently no known outstanding effects for the Education Act 1993 (repealed).

Cross Heading: Responsibility for providing sufficient school places. (See end of Document for details)

SCHEDULES

SCHEDULE 2

DISTRIBUTION OF FUNCTIONS WHERE ORDER MADE UNDER SECTION 12

PART III

FUNCTIONS WHERE RESPONSIBILITY FOR PROVIDING SUFFICIENT SCHOOL PLACES IS TRANSFERRED

Responsibility for providing sufficient school places

- 5 (1) The duty under section 8(1) of the ^{M1}Education Act 1944 shall be discharged by the funding authority instead of the local education authority.
- (2) In discharging that duty the funding authority shall, in particular, have regard to the matters referred to in section 8(2)(c) of that Act (provision for pupils who have special educational needs).
- (3) The funding authority may provide board and lodging otherwise than at school for pupils at maintained or grant-maintained schools; and, where the authority do so, the parents of the pupils concerned shall, subject to the following provisions of this Schedule, pay charges to the authority not exceeding the cost to the authority of the provision.
- (4) Where the governing body of a grant-maintained school provide board and lodging at the school for pupils there, the parents of the pupils concerned shall, subject to the following provisions of this Schedule, pay charges to the governing body not exceeding the cost to the governing body of the provision.

Modifications etc. (not altering text)

C1 Sch. 2 paras. 1(2), 5(3)(4), 6(3), 11(1)(3), 12(1), 13(2) applied (9.5.1994) by S.I. 1994/1084, reg. 8(1), Sch. 2 Pt. I

Marginal Citations

M1 1944 c. 31.

- 6 (1) The local education authority may continue to secure the provision of relevant education falling within section 8(1) of that Act and (subject to paragraph 7 below) to secure the provision of schools for that purpose.
- (2) In exercising those powers the local education authority shall, in particular, have regard to the matters referred to in section 8(2) of that Act (which include separation

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of primary and secondary education, and boarding accommodation for those for whom boarding is desirable).

(3) Where the local education authority—

- (a) provide board and lodging at a maintained school for pupils there, or
- (b) provide board and lodging otherwise than at school for pupils at maintained or grant-maintained schools,

the parents of the pupils concerned shall, subject to the following provisions of this Schedule, pay charges to the authority not exceeding the cost to the authority of the provision.

Modifications etc. (not altering text)

C2 Sch. 2 paras. 1(2), 5(3)(4), 6(3), 11(1)(3), 12(1), 13(2) applied (9.5.1994) by S.I. 1994/1084, reg. 8(1), Sch. 2 Pt. I

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