



Education Act 1996

1996 CHAPTER 56

PART VIII

GRANTS AND OTHER FINANCIAL MATTERS

Recoupment

492 Recoupment: adjustment between local education authorities.

- (1) Regulations may provide, in relation to cases where any provision for education to which this section applies is made by a local education authority in respect of a person who belongs to the area of another local education authority, for requiring or authorising the other authority to pay to the providing authority—
 - (a) such amount as the authorities may agree, or
 - (b) failing agreement, such amount as may be determined by or under the regulations.
- (2) This section applies to primary education, secondary education and further education and to part-time education for those who have not attained the age of five.
- (3) The regulations may provide for the amounts payable by one authority to another—
 - (a) to reflect the whole or any part of the average costs incurred by local education authorities in the provision of education (whether in England and Wales as a whole or in any particular area or areas); and
 - (b) to be based on figures for average costs determined by such body or bodies representing local education authorities, or on such other figures relating to costs so incurred, as the Secretary of State considers appropriate.
- (4) The regulations may provide for the amounts so payable, in such cases as may be specified in or determined in accordance with the regulations, to be such amounts as may be determined by the Secretary of State.

Status: Point in time view as at 01/11/1996. This version of this provision has been superseded.

Changes to legislation: Education Act 1996, Section 492 is up to date with all changes known to be in force on or before 24 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (5) Any dispute between local education authorities as to whether one of them is entitled to be paid any amount by another under the regulations shall be determined by the Secretary of State.
- (6) In this section—
- (a) references to provision for education include provision of any benefits or services for which provision is made by or under this Act or any other enactment relating to education; and
 - (b) “further education” does not include further education of a kind such that expenditure on its provision would fall within paragraph 6 of Schedule 10 to the ^{M1}Local Government, Planning and Land Act 1980.

Marginal Citations

M1 1980 c. 65.

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