



School Standards and Framework Act 1998

1998 CHAPTER 31

PART VII

MISCELLANEOUS AND GENERAL

Financial assistance to non-maintained schools

128 Financial assistance to non-maintained schools

(1) For section 18 of the Education Act 1996 there shall be substituted—

“18 Financial assistance to non-maintained schools

- (1) Subject to subsection (2), a local education authority may—
 - (a) assist any primary or secondary non-maintained school (whether inside or outside their area);
 - (b) make arrangements for pupils to be provided with primary or secondary education at such schools.
- (2) Except in accordance with regulations, a local education authority may not under subsection (1) make any grant or other payment (whether to the proprietor of a school or otherwise) in respect of—
 - (a) fees or expenses (of whatever nature) which are payable in connection with the attendance of a pupil at a school, or
 - (b) such other matters as may be prescribed.
- (3) Regulations made for the purposes of subsection (2)(a) may provide that, in such circumstances as may be specified in or determined in accordance with the regulations, a local education authority—
 - (a) shall exercise their power under subsection (1)(b) in relation to a pupil at a non-maintained school so as to pay the whole of—

Status: This is the original version (as it was originally enacted).

- (i) the fees payable in respect of the education provided for the pupil, and
 - (ii) if board and lodging are provided for him at the school, the fees payable in respect of the board and lodging, and
 - (iii) any expenses of a prescribed description which are payable in connection with his attendance at the school; or
 - (b) may exercise that power in relation to such a pupil so as to pay the whole or part of any fees or expenses falling within all or any of subparagraphs (i) to (iii) of paragraph (a) above.
- (4) In this section references to non-maintained schools are references to schools which are not maintained by any local education authority.”
- (2) In consequence of subsection (1), section 16(1)(c) of the Education Act 1996 (power of local education authority to assist primary or secondary school not maintained by the authority) shall cease to have effect.