



# School Standards and Framework Act 1998

## 1998 CHAPTER 31

### PART II

#### NEW FRAMEWORK FOR MAINTAINED SCHOOLS

#### CHAPTER IV

##### FINANCING OF MAINTAINED SCHOOLS

##### *Budgetary framework*

#### **45** **Maintained schools to have budget shares.** **E**

- (1) For the purposes of the financing of maintained schools by local education authorities, every such school shall have, for each financial year, a budget share which is allocated to it by the authority which maintains it.

[<sup>F1</sup>(1A) In this Chapter “maintained school” means—

- (a) a community, foundation or voluntary school,
- (b) a community or foundation special school, or
- (c) a maintained nursery school.]

- (2) Sections [<sup>F2</sup>45A] and 47 have effect for determining the amount of a school’s budget share for a financial year.

(3) In this Chapter—

- (a) references to schools maintained by a local education authority do not include [<sup>F3</sup>pupil referral units];

*Status: Point in time view as at 19/11/2003. There are multiple versions of this provision on screen.*

*These apply to different geographical extents. This version of this provision has been superseded.*

**Changes to legislation:** School Standards and Framework Act 1998, Section 45 is up to date with all changes known to be in force on or before 21 May 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)

- (b) references, in a context referring to a local education authority, to a maintained school or to a school maintained by such an authority shall be read as including a new school—
  - (i) which on implementation of proposals under [<sup>F4</sup>any enactment] will be a community, foundation or voluntary school or a community or foundation special school maintained by the authority, and
  - (ii) which has a temporary governing body; and
- (c) references to the governing body of a maintained school or of a school maintained by a local education authority shall accordingly be read as including the temporary governing body of a new school falling within paragraph (b).

(4) In this Chapter “new school” (without more) has the meaning given by section 72(3).

#### Extent Information

- E1** This version of this provision extends to England only; a separate version has been created for Wales only

#### Textual Amendments

- F1** S. 45(1A) inserted (1.9.2003 for E., 31.10.2005 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 21 para. 99\(2\)](#) (with ss. 210(8), 214(4)); S.I. 2003/1667, [art. 4](#) (with art. 6, Sch. para. 5); S.I. 2005/2910, art. 4, [Sch.](#) (with transitional provisions in [The Education Act 2002 \(Transitional Provisions and Consequential Amendments\) \(Wales\) Regulations 2005 \(S.I. 2005/2913\)](#)), [reg. 8](#)
- F2** Word in s. 45 substituted (E.) (1.10.2002) by [The Education Act 2002 \(Modification of Provisions\) \(England\) Regulations 2002 \(S.I. 2002/2316\)](#), [reg. 2](#)
- F3** Words in s. 45(3)(a) substituted (1.9.2003 for E., 31.10.2005 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 21 para. 99\(3\)\(a\)](#) (with ss. 210(8), 214(4)); S.I. 2003/1667, [art. 4](#) (with art. 6, Sch. para. 5); S.I. 2005/2910, art. 4, [Sch.](#)
- F4** Words in s. 45(3)(b)(i) substituted (19.12.2002 for W., 1.4.2003 for E.) by [Education Act 2002 \(c. 32\)](#), ss. 215(1), 216, [Sch. 21 para. 99\(3\)\(b\)](#) (with ss. 210(8), 214(4)); S.I. 2002/3185, [art. 4](#), Sch. Pt. 1; S.I. 2003/124, [art. 4](#)

#### Modifications etc. (not altering text)

- C2** S. 45(3)(4) modified (20.11.1998) by [S.I. 1998/2670](#), [reg. 3\(4\)](#)

## 45 Maintained schools to have budget shares. W

- (1) For the purposes of the financing of maintained schools by local education authorities, every such school shall have, for each financial year, a budget share which is allocated to it by the authority which maintains it.
- (2) Sections 46 and 47 have effect for determining the amount of a school’s budget share for a financial year.
- (3) In this Chapter—
  - (a) references to schools maintained by a local education authority do not include schools which are not maintained schools as defined by section 20(7);
  - (b) references, in a context referring to a local education authority, to a maintained school or to a school maintained by such an authority shall be read as including a new school—

**Status:** Point in time view as at 19/11/2003. There are multiple versions of this provision on screen.

These apply to different geographical extents. This version of this provision has been superseded.

**Changes to legislation:** School Standards and Framework Act 1998, Section 45 is up to date with all changes known to be in force on or before 21 May 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)

- (i) which on implementation of proposals under [<sup>F5</sup>any enactment] will be a community, foundation or voluntary school or a community or foundation special school maintained by the authority, and
- (ii) which has a temporary governing body; and
- (c) references to the governing body of a maintained school or of a school maintained by a local education authority shall accordingly be read as including the temporary governing body of a new school falling within paragraph (b).

(4) In this Chapter “new school” (without more) has the meaning given by section 72(3).

#### Extent Information

- E2** This version of this provision extends to Wales only; a separate version has been created for England only.

#### Textual Amendments

- F5** Words in s. 45(3)(b)(i) substituted (19.12.2002 for W. and 1.4.2003 for E.) by [Education Act 2002](#) (c. 32), ss. 215(1), 216, [Sch. 21 para. 99\(3\)\(b\)](#) (with ss. 210(8), 214(4)); S.I. 2002/3185, [art. 4](#), [Sch. Pt. 1](#); S.I. 2003/124, [art. 4](#)

#### Modifications etc. (not altering text)

- C2** S. 45(3)(4) modified (20.11.1998) by [S.I. 1998/2670](#), [reg. 3\(4\)](#)

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