



# 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.**

- (1) For the purposes of the financing of maintained schools by local education authorities, every such school shall have, for each [<sup>F1</sup>funding period], a budget share which is allocated to it by the authority which maintains it.

[<sup>F2</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.]

[<sup>F3</sup>(1B) In this Chapter “funding period” means a financial year or such other period as may be prescribed.]

- (2) Sections [<sup>F4</sup> 45A to] 47 have effect for determining the amount of a school’s budget share for a [<sup>F5</sup>funding period].
- (3) In this Chapter—
- (a) references to schools maintained by a local education authority do not include [<sup>F6</sup>pupil referral units];

*Status: Point in time view as at 01/04/2010. This version of this provision has been superseded.*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 20 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>F7</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).

#### **Textual Amendments**

- F1** Words in s. 45(1) substituted (1.11.2005 for E.) by [Education Act 2005 \(c. 18\)](#), s. 125(4), **Sch. 16 para. 2(2)** (with s. 119); S.I. 2005/2034, art. 8
- F2** 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**
- F3** S. 45(1B) inserted (1.11.2005 for E.) by [Education Act 2005 \(c. 18\)](#), s. 125(4), **Sch. 16 para. 2(3)** (with s. 119); S.I. 2005/2034, art. 8
- F4** Words in s. 45(2) substituted (1.11.2005 for E.) by [Education Act 2005 \(c. 18\)](#), s. 125(4), **Sch. 16 para. 2(4)(a)** (with s. 119); S.I. 2005/2034, art. 8
- F5** Words in s. 45(2) substituted (1.11.2005 for E.) by [Education Act 2005 \(c. 18\)](#), s. 125(4), **Sch. 16 para. 2(4)(b)** (with s. 119); S.I. 2005/2034, art. 8
- F6** 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.**
- F7** 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)**

- C1** S. 45(1A) modified (31.3.2004) by [The Blackburn with Darwen \(Maintained Nursery School Governance\) Order 2004 \(S.I. 2004/657\)](#), arts. 1(1), **3(c)**
- C2** S. 45(3)(4) modified (20.11.1998) by S.I. 1998/2670, **reg. 3(4)**

**Status:**

Point in time view as at 01/04/2010. 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 20 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.