

1989 No. 1352

EDUCATION, ENGLAND AND WALES

The Education (Financial Delegation to Schools)
(Mandatory Exceptions) Regulations 1989

<i>Made</i> - - - -	<i>2nd August 1989</i>
<i>Laid before Parliament</i>	<i>3rd August 1989</i>
<i>Coming into force</i>	<i>1st September 1989</i>

In exercise of the powers conferred on the Secretary of State by section 38(4)(c) and (d) of the Education Reform Act 1988(a), the Secretary of State for Education and Science, as respects England, and the Secretary of State for Wales, as respects Wales, hereby make the following Regulations—

1.—(1) These Regulations may be cited as the Education (Financial Delegation to Schools) (Mandatory Exceptions) Regulations 1989 and shall come into force on 1st September 1989.

(2) In these Regulations—

“the Act” means the Education Reform Act 1988;

“aggregated budget” has the meaning assigned to it by section 33(4)(b) of the Act; and

“general schools budget” has the meaning assigned to it by section 33(4)(a) of the Act.

2.—(1) The expenditure referred to in paragraph (2), so far as taken into account in determining the general schools budget of any local education authority for any financial year, is hereby prescribed for the purposes of section 38(4) of the Act (which provides for the Secretary of State to prescribe expenditure which is to be left out of account in determining a local education authority’s aggregated budget for any financial year).

(2) That expenditure is—

(a) expenditure falling to be taken into account in determining central government grants of the following descriptions—

(i) Education Support Grants paid under section 1 of the Education (Grants and Awards) Act 1984(b);

(ii) Local Education Authority Training Grants paid under section 50 of the Education (No. 2) Act 1986(c);

(iii) Grants paid under section 11 of the Local Government Act 1966(d);

(iv) Grants for the education of travellers and displaced persons paid under section 210 of the Act;

(v) Technical and Vocational Education Initiative grants paid under section 2 of the Employment and Training Act 1973(e);

(a) 1988 c.40. For matters to be prescribed, see section 235(7) of this Act and section 114(1) of the Education Act 1944 (c.31), and for the transfer of functions to the Secretary of State see S.I. 1964/490, 1970/1536 and 1978/274.

(b) 1984 c.11.

(c) 1986 c.61.

(d) 1966 c.42; section 11 was extended by section 211 of the Education Reform Act 1988.

(e) 1973 c.50; section 2 was amended by paragraph 9 of Schedule 2 to the Employment and Training Act 1981 (c.57).

- (vi) Urban Programme Grants paid under section 1 of the Local Government Grants (Social Need) Act 1969(a);
 - (vii) in the case of local education authorities in Wales, Bilingual Education Grant paid under section 21 of the Education Act 1980(b); and
- (b) expenditure falling to be taken into account in determining specific grants from the European Economic Community which support activities in schools.

31st July 1989

Angela Rumbold
Minister of State, Department of Education and Science

2nd August 1989

Ian Grist
Parliamentary Under-Secretary of State, Welsh Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe for the purposes of section 38 of the Education Reform Act 1988 expenditure, in addition to that listed in that section, which, so far as it is taken into account in determining a local education authority's general schools budget for the purpose of schemes of local management of schools for any year, is required to be left out of account when the authority is determining its aggregated budget for that year. The expenditure is that falling to be taken into account in the determination of central government grants and grants from the European Economic Community of the descriptions set out in the Regulations.

(a) 1969 c.2; section 1 was amended by paragraph 44 of Schedule 14 to the Local Government Act 1985 (c.51).
(b) 1980 c.20.

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