

1999 No. 1727

EDUCATION, ENGLAND AND WALES

The Local Education Authority (Payment of School Expenses) Regulations 1999

<i>Made</i> - - - -	<i>15th June 1999</i>
<i>Laid before Parliament</i>	<i>25th June 1999</i>
<i>Coming into force</i>	<i>1st September 1999</i>

In exercise of the powers conferred on the Secretary of State by sections 518(1)(a) and 569(4) of the Education Act 1996(a), the Secretary of State for Education and Employment, as regards England, and the Secretary of State for Wales, as regards Wales, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Local Education Authority (Payment of School Expenses) Regulations 1999, and shall come into force on 1st September 1999.

Payment of expenses

2.—(1) This regulation prescribes the circumstances in which a local education authority may, pursuant to section 518(1)(a) of the Education Act 1996, for the purpose of enabling a child attending a community, foundation, voluntary or special school to take advantage of any educational facilities available to him, pay such expenses as may be necessary to enable him to take part in any school activity.

(2) A local education authority may make such a payment where they are satisfied that it should be made in order to prevent or relieve financial hardship.

(3) However any payment as mentioned in paragraph (1) must be related to the means of the child's parents.

(4) In this regulation, "child" means a person who is not over compulsory school age.

Revocation and saving

3.—(1) Regulation 4(a) of the Scholarships and Other Benefits Regulations 1977(b) is hereby revoked.

(2) However paragraph (1) shall not affect the continued operation of regulation 4(a) of those Regulations in connection with—

- (a) the payment of expenses, or
- (b) a decision to pay expenses,

under that provision in relation to educational facilities made available before 1st September 1999.

(a) 1996 c. 56. Section 518 was substituted by section 129 of the School Standards and Framework Act 1998 (c. 31). See section 579(1) of the 1996 Act for the meaning of "regulations".
(b) S.I. 1977/1443, amended by S.I. 1979/260, 1979/542, 1989/1278, 1998/86 and 1999/229. Notwithstanding the commencement of section 129 of the School Standards and Framework Act 1998 on 1st February 1999, S.I. 1977/1443 (as so amended) has continued in force to the extent referred to in regulation 3 of S.I. 1999/120.

12th June 1999

Estelle Morris
Minister of State,
Department for Education and Employment

15th June 1999

Peter Hain
Parliamentary Under Secretary of State,
Welsh Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the circumstances in which a local education authority (LEA) may, pursuant to the power conferred by section 518(1)(a) of the Education Act 1996 (as substituted by section 129 of the School Standards and Framework Act 1998), pay expenses to enable a child to take part in any school activity.

The power applies in respect of a child who is not over compulsory school age and is attending a community, foundation, voluntary or special school, and may be exercised only for the purpose of enabling him to take advantage of any available educational facilities.

These Regulations provide that an LEA may make a payment of such expenses where they are satisfied that this should be done for the purpose of preventing or relieving financial hardship. The amount of the payment must be related to the means of the child's parents. (*See regulation 2.*)

Provision is also made (*in regulation 3*) for the revocation, with savings, of regulation 4(a) of the Scholarships and Other Benefits Regulations 1977.

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