



Education Act 1996

1996 CHAPTER 56

PART IV

SPECIAL EDUCATIONAL NEEDS

[^{F1}CHAPTER I

CHILDREN [^{F1}IN WALES] WITH SPECIAL EDUCATIONAL NEEDS

Special educational provision: general

[^{F1}318 Provision of goods and services in connection with special educational needs.

- (1) A [^{F2}local authority] may, for the purpose only of assisting—
 - (a) the governing bodies of [^{F3}community, foundation or voluntary schools][^{F4}or maintained nursery schools] (in their or any other area) in the performance of the governing bodies' duties under section 317(1)(a), or
 - (b) the governing bodies of [^{F3}community or foundation special schools] (in their or any other area) in the performance of the governing bodies' duties,supply goods or services to those bodies.
- (2) The terms on which goods or services are supplied by [^{F5}local authorities] under [^{F6}this section to the governing bodies of community, foundation or voluntary schools [^{F7}, maintained nursery schools] or community or foundation special schools in any other area] may, in such circumstances as may be prescribed, include such terms as to payment as may be prescribed.

^{F8}(3)

^{F9}(3A)

[^{F10}(3B) A [^{F2}local authority]^{F11}... may supply goods and services to any authority in Wales or other person (other than a governing body within subsection(1)) for the purpose

Changes to legislation: Education Act 1996, Section 318 is up to date with all changes known to be in force on or before 05 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) View outstanding changes

of assisting them in making for a child any special educational provision which any learning difficulty of the child calls for.]

- (4) This section is without prejudice to the generality of any other power of [F5]local authorities] to supply goods or services.]

Textual Amendments

- F1** Pt. 4 Ch. 1 repealed (1.9.2021 for the repeal of ss. 333(1ZA)(2)-(6), 334-335 and otherwise in force for specified purposes, 1.1.2022 for specified purposes, 1.9.2022 for specified purposes) by [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018](#) (anaw 2), s. 100(3), **Sch. 1 para. 4(9)**; S.I. 2021/373, arts. 3, 4, 6, 7 (as amended by S.I. 2021/938, **art. 2**); S.I. 2021/1243, **art. 3** (with arts. 4-23) (as amended by S.I. 2021/1428, **art. 2**); S.I. 2021/1244, **art. 3** (with arts. 4-21) (as amended by S.I. 2021/1428, **art. 3**); S.I. 2021/1245, arts. 3, 4 (with art. 1(4)); S.I. 2022/891, **art. 3** (with arts. 4-25); S.I. 2022/892, arts. 2, 3 (with arts. 4-18); S.I. 2022/893, **art. 4**; S.I. 2022/894, **art. 3**; S.I. 2022/895, arts. 3, 4; S.I. 2022/896, **art. 3** (with arts. 1(7), 4-22); S.I. 2022/897, **art. 3** (with arts. 1(8), 4-21); S.I. 2022/898, arts. 2, 3
- F2** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010](#) (S.I. 2010/1158), **Sch. 2 para. 7(2)** (with Sch. 2 para. 7(4)(5))
- F3** Words in s. 318(1)(a)(b) substituted (1.9.1999) by 1998 c. 31, s. 140(1), **Sch. 30 para. 75(2)(a)(b)** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- F4** Words in s. 318(1) inserted (1.9.2003 for E., 31.10.2005 for W.) by [Education Act 2002](#) (c. 32), s. 216(4), **Sch. 21 para. 41(2)** (with ss. 210(8), 214(4)); S.I. 2003/1667, art. 4; S.I. 2005/2910, art. 4, Sch.
- F5** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010](#) (S.I. 2010/1158), **Sch. 2 para. 7(3)** (with Sch. 2 para. 7(4)(5))
- F6** Words in s. 318(2) substituted (1.9.1999) by 1998 c. 31, s. 140(1), **Sch. 30 para. 75(3)** (with ss. 138(9), 144(6)); S.I. 1999/2323, art. 2(1), **Sch. 1**
- F7** Words in s. 318(2) inserted (1.9.2003 for E., 31.10.2005 for W.) by [Education Act 2002](#) (c. 32), s. 216(4), **Sch. 21 para. 41(3)** (with ss. 210(8), 214(4)); S.I. 2003/1667, art. 4; S.I. 2005/2910, art. 4, Sch.
- F8** S. 318(3) omitted (1.9.2014) by virtue of [Children and Families Act 2014](#) (c. 6), s. 139(6), **Sch. 3 para. 16(2)**; S.I. 2014/889, art. 7(a) (with savings and transitional provisions in S.I. 2014/2270 (as amended (1.4.2015) by S.I. 2015/505))
- F9** S. 318(3A) omitted (1.9.2014) by virtue of [Children and Families Act 2014](#) (c. 6), s. 139(6), **Sch. 3 para. 16(2)**; S.I. 2014/889, art. 7(a) (with savings and transitional provisions in S.I. 2014/2270 (as amended (1.4.2015) by S.I. 2015/505))
- F10** S. 318(3B) inserted (19.12.2002) by [Education Act 2002](#) (c. 32), **ss. 194(2)(b)**, 216(3) (with ss. 210(8), 214(4)); S.I. 2002/3185, **art. 4**, Sch. Pt. 1
- F11** Words in s. 318(3B) omitted (1.9.2014) by virtue of [Children and Families Act 2014](#) (c. 6), s. 139(6), **Sch. 3 para. 16(3)**; S.I. 2014/889, art. 7(a) (with savings and transitional provisions in S.I. 2014/2270 (as amended (1.4.2015) by S.I. 2015/505))

Modifications etc. (not altering text)

- C1** Pt. 4 Ch. 1 excluded (1.9.2014) by [Children and Families Act 2014](#) (c. 6), **ss. 81**, 139(6); S.I. 2014/889, art. 7(a) (with savings and transitional provisions in S.I. 2014/2270 (as amended (1.4.2015) by S.I. 2015/505))

Changes to legislation:

Education Act 1996, Section 318 is up to date with all changes known to be in force on or before 05 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.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(2)(ba) substituted for s. 13(2)(aa)(b) by [2022 asc 1 Sch. 4 para. 8\(2\)](#)
- s. 15A(3A) inserted by [2022 asc 1 Sch. 4 para. 8\(3\)](#)
- s. 15B(3)(c) inserted by [2022 asc 1 Sch. 4 para. 8\(4\)](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/1012 art. 12\(1\)Sch. 2 para. 3](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/863 Sch. 2 para. 4](#)
- s. 17A functions made exercisable concurrently by [S.I. 2014/865 Sch. 2 para. 3](#)
- s. 17A functions made exercisable concurrently by [S.I. 2016/653 Sch. 3 para. 3](#)
- s. 17A-17D inserted by [2009 c. 22 s. 45](#)
- s. 17B-17D applied by [2009 c. 22 s. 86\(8\)](#)
- s. 457(4)(i)-(iia) repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 457(4)(iii) words repealed by [2012 c. 5 Sch. 14 Pt. 1](#)
- s. 508(4) inserted by [2022 asc 1 Sch. 4 para. 8\(7\)](#)
- s. 537AA inserted by [2008 c. 25 Sch. 1 para. 8](#)
- s. 548(7A)(7B) inserted by [2008 c. 25 Sch. 1 para. 9\(5\)](#)
- s. 578(1) words repealed by [2005 c. 18 Sch. 19 Pt. 1](#)