



# Education Act 1996

## 1996 CHAPTER 56

### PART II

#### SCHOOLS MAINTAINED BY LOCAL EDUCATION AUTHORITIES

### CHAPTER I

#### PRELIMINARY

#### **34 Meaning of “maintain” etc**

- (1) In this Act—
  - (a) in relation to a school maintained (or proposed to be maintained) by a local education authority, “the local education authority” means that authority; and
  - (b) in relation to schools falling within subsections (2) to (5), “maintain” shall be read in accordance with those subsections.
- (2) In the case of a county school, a maintained nursery school or a maintained special school, the local education authority’s duty to maintain the school includes the duty of defraying all the expenses of maintaining it.
- (3) In the case of a controlled school, the local education authority’s duty to maintain the school includes—
  - (a) the duty of defraying all the expenses of maintaining it, and
  - (b) the duty under section 60 of providing new premises for the school under and in accordance with that section.
- (4) In the case of an aided or special agreement school, the local education authority’s duty to maintain the school includes—
  - (a) the duty of defraying all the expenses of maintaining it, except any expenses that by virtue of section 59 or a special agreement are payable by the governing body, and

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*Status: This is the original version (as it was originally enacted).*

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- (b) the duty under section 61 of providing new premises for the school under and in accordance with that section.
- (5) It is hereby declared that for the purposes of this Act the expenses of maintaining a voluntary school include the payment of rates.