



Education Act 1996

1996 CHAPTER 56

PART IX

ANCILLARY FUNCTIONS

CHAPTER I

ANCILLARY FUNCTIONS OF SECRETARY OF STATE

General functions

495 Determination of disputes.

- (1) Except where this Act expressly provides otherwise, any dispute between a local education authority and the governing body of a school as to the exercise of any power conferred or the performance of any duty imposed by or under this Act may be referred to the Secretary of State (despite any enactment which makes the exercise of the power or the performance of the duty contingent upon the opinion of the authority or of the governing body).
- (2) The Secretary of State shall determine any dispute referred to him under subsection (1).
- (3) Any dispute between two or more local education authorities as to which of them is responsible for the provision of education for any pupil shall be determined by the Secretary of State.

Modifications etc. (not altering text)

- C1** S. 495 modified (1.9.1999) by [1998 c. 31, s. 44\(7\)](#) (with [ss. 138\(9\), 144\(6\)](#)); S.I. 1999/2323, art. 2(1), [Sch. 1](#)
- C2** Ss. 495-498 modified (1.4.2003 for E.; 31.10.2005 for W.) by [Education Act 2002 \(c. 32\), ss. 34\(7\), 216\(4\)](#) (with [ss. 210\(8\), 214\(4\)](#)); S.I. 2003/124, art. 4; S.I. 2005/2910, art. 4, Sch.

Status: Point in time view as at 01/02/2008. This version of this provision has been superseded.

Changes to legislation: Education Act 1996, Section 495 is up to date with all changes known to be in force on or before 17 July 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)

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| <p>C3 S. 495(1) extended (1.11.1996) by 1988 c. 40, s. 219(2) (as substituted (1.11.1996) by 1996 c. 56, ss. 582(1), 583(2), Sch. 37 Pt. 1 para.77 (with ss. 1(4), 561, 562, Sch. 39))</p> <p>C4 S. 495(1)(2) applied (with modifications) (E.) (1.2.2008) by The Education (Pupil Referral Units) (Application of Enactments) (England) Regulations 2007 (S.I. 2007/2979), reg. 1(1), Sch. 1 para. 5</p> |
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