



Education Act 1996

1996 CHAPTER 56

PART IX

ANCILLARY FUNCTIONS

CHAPTER I

ANCILLARY FUNCTIONS OF SECRETARY OF STATE

General functions

497 General default powers

- (1) If the Secretary of State is satisfied (either on a complaint by any person interested or otherwise) that a body to which this section applies have failed to discharge any duty imposed on them by or for the purposes of this Act, he may make an order—
 - (a) declaring the body to be in default in respect of that duty, and
 - (b) giving such directions for the purpose of enforcing the performance of the duty as appear to him to be expedient.
- (2) The bodies to which this section applies are—
 - (a) any local education authority,
 - (b) the governing body of any county, voluntary or maintained special school, and
 - (c) the governing body of any grant-maintained school.
- (3) Any directions given under subsection (1)(b) shall be enforceable, on an application made on behalf of the Secretary of State, by an order of mandamus.