



School Standards and Framework Act 1998

1998 CHAPTER 31

PART IV

OTHER PROVISIONS ABOUT SCHOOL EDUCATION

School meals

114 Nutritional standards for school lunches.

- (1) Regulations may prescribe nutritional standards, or other nutritional requirements, which (subject to such exceptions as may be provided for by or under the regulations) are to be complied with in connection with the provision of school lunches for
 - [^{F1}(a)] registered pupils at schools maintained by local education authorities [^{F2}, or]
 - [^{F2}(b)] other persons who are provided with school lunches free of charge in accordance with section 512ZB of the Education Act 1996;]
- (2) Where a local education authority or the governing body provide school lunches for registered pupils at such a school [^{F3}or for such other persons who are provided with school lunches free of charge], they shall secure that any applicable provisions of regulations under this section are complied with.
- (3) Subsection (2) applies—
 - (a) whether the lunches are provided on school premises or at any other place where education is being provided; and
 - (b) [^{F4}in the case of lunches provided to registered pupils at schools maintained by local education authorities,] whether they are being provided in pursuance of any statutory requirement or otherwise.
- (4) Regulations under this section may—
 - (a) make different provision for pupils of different ages;

Status: Point in time view as at 22/07/2004.

Changes to legislation: School Standards and Framework Act 1998, Cross Heading: School meals is up to date with all changes known to be in force on or before 15 August 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)

- (b) authorise the Secretary of State to determine the time as from which any provisions of the regulations are to apply to a particular local education authority or school.

(5) In this section “school lunch”, in relation to a pupil, means food made available for consumption by the pupil as his midday meal on a school day, whether involving a set meal or the selection of items by him or otherwise.

Textual Amendments

- F1** Word in s. 114(1) inserted (31.3.2003 for W., 6.4.2003 for E.) by [Education Act 2002 \(c. 32\)](#), [ss. 201\(3\)\(a\), 216\(4\)](#) (with [ss. 210\(8\), 214\(4\)](#)); S.I. 2002/3185, art. 5, Sch. Pt. II; S.I. 2003/124, art. 5 (with art. 6)
- F2** S. 114(1)(b) and word inserted (31.3.2003 for W., 6.4.2003 for E.) by [Education Act 2002 \(c. 32\)](#), [ss. 201\(3\)\(a\), 216\(4\)](#) (with [ss. 210\(8\), 214\(4\)](#)); S.I. 2002/3185, art. 5, Sch. Pt. II; S.I. 2003/124, art. 5 (with art. 6)
- F3** Words in s. 114(2) inserted (31.3.2003 for W., 6.4.2003 for E.) by [Education Act 2002 \(c. 32\)](#), [ss. 201\(3\)\(b\), 216\(4\)](#) (with [ss. 210\(8\), 214\(4\)](#)); S.I. 2002/3185, art. 5, Sch. Pt. II; S.I. 2003/124, art. 5 (with art. 6)
- F4** Words in s. 114(3)(b) inserted (31.3.2003 for W., 6.4.2003 for E.) by [Education Act 2002 \(c. 32\)](#), [ss. 201\(3\)\(c\), 216\(4\)](#) (with [ss. 210\(8\), 214\(4\)](#)); S.I. 2002/3185, art. 5, Sch. Pt. II; S.I. 2003/124, art. 5 (with art. 6)

^{F5}115 Extension of LEA functions concerning school lunches, etc.

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Textual Amendments

- F5** S. 115 repealed (31.3.2003 for W., 1.4.2003 for E.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 22 Pt. 3](#) (with [ss. 210\(8\), 214\(4\)](#)); S.I. 2002/3185, art. 5, Sch. Pt. II; S.I. 2003/124, art. 4

116 Transfer of LEA functions concerning school lunches, etc. to governing bodies.

After section 512 of the Education Act 1996 there shall be inserted—

“512A Transfer of functions under section 512 to governing bodies.

- (1) The Secretary of State may by order make provision for imposing on the governing body of any school to which the order applies a duty or duties corresponding to one or more of the duties of the local education authority which are mentioned in subsection (2).
- (2) Those duties are—
 - (a) the duty to provide school lunches in accordance with section 512(1A) and (1B);
 - (b) the duty to provide school lunches free of charge in accordance with section 512(3)(a); and
 - (c) the duty to provide milk free of charge in accordance with section 512(3)(b).

Status: Point in time view as at 22/07/2004.

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- (3) An order under this section may (subject to subsection (6)) apply to—
- (a) all maintained schools; or
 - (b) any specified class of such schools; or
 - (c) all such schools, or any specified class of such schools, maintained by specified local education authorities.
- (4) Where any duty falls to be performed by the governing body of a school by virtue of an order under this section—
- (a) the corresponding duty mentioned in subsection (2) shall no longer fall to be performed by the local education authority in relation to the school; and
 - (b) if the duty corresponds to the one mentioned in subsection (2)(b) or (c), section 533(3) shall not apply to any school lunches or milk provided by the governing body in pursuance of the order.
- (5) An order under this section may provide for section 513(2) not to apply—
- (a) to local education authorities generally, or
 - (b) to any specified local education authority,
- either in relation to all pupils for whom provision is made by the authority under section 513 or in relation to all such pupils who are of such ages as may be specified.
- (6) An order under this section shall not operate to—
- (a) impose any duty on the governing body of a school, or
 - (b) relieve a local education authority of any duty in relation to a school,
- at any time when the school does not have a delegated budget; and such an order may provide for section 512(2)(b) above to have effect, in relation to any provision made at any such time by the local education authority for pupils at the school, with such modifications as may be specified.
- (7) In this section—
- “delegated budget” and “maintained school” have the same meaning as in the School Standards and Framework Act 1998;
- “school lunch” has the same meaning as in section 512 above;
- “specified” means specified in an order under this section.”

Status:

Point in time view as at 22/07/2004.

Changes to legislation:

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