



Education Act 1996

1996 CHAPTER 56

PART I

GENERAL

CHAPTER III

LOCAL EDUCATION AUTHORITIES

Establishment etc. of schools

16 Power to establish, maintain and assist primary and secondary schools.

- (1) For the purpose of fulfilling their functions under this Act, a local education authority may—
 - (a) establish primary schools and secondary schools;
 - (b) maintain primary and secondary schools, whether established by them or not; and
 - (c) assist any primary or secondary school which is not maintained by them.
- (2) A local education authority may under subsection (1) establish, maintain and assist schools outside as well as inside their area.
- (3) A local education authority may not under subsection (1) establish a school to provide—
 - (a) part-time education suitable to the requirements of persons of any age over compulsory school age; or
 - (b) full-time education suitable to the requirements of persons who have attained the age of 19.

Status: Point in time view as at 01/09/2008.

Changes to legislation: Education Act 1996, Cross Heading: Establishment etc. of schools is up to date with all changes known to be in force on or before 10 June 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)

17 Powers in respect of [^{F1}nursery schools] .

- (1) A local education authority may—
- (a) establish nursery schools;
 - (b) maintain nursery schools established by them or by an authority which was a local education authority within the meaning of any enactment repealed by the ^{M1}Education Act 1944 or an earlier Act; and
 - (c) assist any nursery school not so established.
- (2) Section 14(4) does not affect a local education authority's power under section 16(1) to establish, maintain and assist schools at which education is provided both for children under [^{F2}compulsory school age] and for older pupils (including schools at which there are nursery classes for children under [^{F2}compulsory school age]).

Textual Amendments

- F1** Words in s. 17 heading substituted (1.9.2008 for E.) by [Childcare Act 2006 \(c. 21\), s. 109\(2\), Sch. 2 para. 20](#); S.I. 2008/2261, [art. 2](#) (with [Sch. 1](#))
- F2** Words in s. 17(2) substituted (1.8.1998) by [1997 c. 44, s. 57\(1\), Sch. 7 para.13](#); S.I. 1998/386, [art. 2, Sch. 1 Pt.III](#)

Marginal Citations

- M1** [1944 c. 31.](#)

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