



# Education Act 1996

## 1996 CHAPTER 56

### PART VII

#### INDEPENDENT SCHOOLS

#### CHAPTER III

##### ASSISTED PLACES AT INDEPENDENT SCHOOLS

#### **479 The assisted places scheme.**

- (1) For the purpose of enabling pupils who might otherwise not be able to do so to benefit from education at independent schools, the Secretary of State shall continue to operate a scheme (referred to in this Part as “the assisted places scheme”) whereby—
  - (a) participating schools remit fees that would otherwise be chargeable in respect of pupils selected for assisted places under the scheme, and
  - (b) the Secretary of State reimburses the schools for the fees that are remitted.
- (2) In this Part “participating school” means an independent school<sup>F1</sup> . . . with which the Secretary of State makes an agreement (referred to in this Part as a “participation agreement”) for the purposes of the assisted places scheme.
- (3) The fees in relation to which the assisted places scheme has effect are—
  - (a) tuition and other fees the payment of which is a condition of attendance at a participating school but excluding boarding fees and such other fees, if any, as may be excluded by the participation agreement, and
  - (b) entrance fees for public examinations paid by a participating school in respect of candidates from the school.
- (4) In determining whether to make a participation agreement with any school, the Secretary of State shall have regard to the desirability of securing an equitable distribution of assisted places throughout England and Wales and between boys and girls.

*Status: Point in time view as at 04/04/1997.*

*Changes to legislation: Education Act 1996, Chapter III is up to date with all changes known to be in force on or before 21 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)*

- (5) A participation agreement—
- (a) shall contain provisions as to the number of assisted places to be available at the school, and
  - (b) may contain conditions to be complied with by the school in addition to those prescribed under section 480;
- and Schedule 35 has effect with respect to the termination of a participation agreement.
- (6) In this section “independent school” means a registered school that is conducted for charitable purposes only.
- (7) Except where the context otherwise requires, references in this section and sections 480 and 481 to a school include the proprietors of the school and persons acting with their authority.

#### Textual Amendments

**F1** Words in s. 479(2) repealed (4.4.1997) by 1997 c. 44, ss. 1, 57(4), **Sch.8**; S.I. 1997/1153, **art.2**.

#### **480 Assisted places: further provision by regulations.**

- (1) Regulations shall prescribe—
- (a) the requirements as to age, residence or otherwise which are to be the conditions of eligibility for selection for an assisted place under the assisted places scheme;
  - (b) the conditions subject to which, the extent to which, and the arrangements in accordance with which, fees are to be remitted by participating schools;
  - (c) the time and manner in which participating schools are to claim and receive reimbursements from the Secretary of State;
  - (d) conditions to be complied with by participating schools with respect to the selection of pupils for assisted places, the admission of pupils, the fees to be charged, the keeping and auditing of accounts and the provision of information to the Secretary of State; and
  - (e) such other matters as appear to the Secretary of State to be requisite for the purposes of the scheme.
- (2) Regulations under this section may authorise the Secretary of State to make provision for any purpose specified in the regulations.
- (3) Regulations made under subsection (1)(b) shall be reviewed by the Secretary of State at intervals of not more than two years.
- (4) The Secretary of State shall—
- (a) before making regulations under this section, or
  - (b) when conducting any review under subsection (3),
- consult such bodies as appear to him to be appropriate and to be representative of participating schools.

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#### **481 Incidental expenses of pupils holding assisted places.**

- (1) Regulations may require or enable participating schools to make grants in respect of such incidental expenses, and to remit such incidental charges, as may be specified in the regulations.

For this purpose expenses or charges are “incidental” if they are in respect of matters incidental to or arising out of the attendance at the schools of pupils holding assisted places under the assisted places scheme.

- (2) Any regulations made under this section shall require any amounts granted or remitted by a school in accordance with the regulations to be reimbursed to the school by the Secretary of State.
- (3) Regulations under this section may in particular prescribe—
- (a) the conditions subject to which, the extent to which, and the arrangements in accordance with which, grants and remissions are to be made, and
  - (b) the time and manner in which schools are to claim and receive reimbursements from the Secretary of State.
- (4) Regulations under this section may authorise the Secretary of State to make provision for any purpose specified in the regulations.

**Status:**

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