

## SCHEDULES

### SCHEDULE 39

#### TRANSITIONAL PROVISIONS AND SAVINGS

##### PART II

##### SPECIFIC PROVISIONS

##### *Maintenance etc. grants*

- 31 (1) The former grants code shall continue to have effect in relation to—
- (a) any payments of maintenance grant under section 79(1) of the Education Reform Act 1988 in respect of any financial year ending before 1st April 1994; and
  - (b) any payments of capital and special purpose grants under section 79(3) of that Act made before that date.
- (2) The functions conferred on the Secretary of State by or under the former grants code (as it has effect by virtue of sub-paragraph (1) above) shall, so far as relating to any amounts which—
- (a) fall or may fall to be paid in any financial year beginning on or after 1st April 1994 in respect of any grant under that code, or
  - (b) have been paid by the Secretary of State before that date in respect of any such grant,
- be exercisable by the funding authority.
- (3) In this paragraph “the former grants code” means sections 79 and 80 of the Education Reform Act 1988 (maintenance, special purpose and capital grants) in their application to England.
- 32 Section 81 of the Education Reform Act 1988 (recovery from local funds of sums in respect of maintenance grant) shall continue to have effect in relation to any sums recoverable by the Secretary of State under section 81(1) of that Act for any financial year ending before 1st April 1994.
- 33 The Education (Grant-maintained Schools) (Finance) Regulations 1990, so far as in force immediately before the commencement of this Act, shall continue in force despite the repeals made by this Act.