



Education Act 1996

1996 CHAPTER 56

^{F1}PART III

GRANT-MAINTAINED SCHOOLS

CHAPTER VI

FUNDING OF GRANT-MAINTAINED SCHOOLS

Grants: general

^{F1}247 Imposition of requirements on governing body in receipt of grant.

- (1) A governing body to whom any payments in respect of maintenance grant, capital grant or special purpose grant are made shall comply with such requirements of a kind mentioned in subsection (2) as the funding authority may from time to time impose.
- (2) The kinds of requirements which may be imposed under subsection (1) are—
 - (a) requirements specified in grant regulations as requirements which may be imposed by the funding authority on governing bodies to whom such payments are made, and
 - (b) requirements determined in accordance with grant regulations by the funding authority.
- (3) Requirements imposed under subsection (1)—
 - (a) may be imposed on or at any time after the making of any payment by reference to which they are imposed, and
 - (b) subject to subsection (4), may at any time be varied by the funding authority.
- (4) The power of the funding authority to vary such a requirement—
 - (a) does not apply to a requirement of the kind mentioned in subsection (2)(a), or a requirement required to be imposed by the regulations (by virtue of

Status: Point in time view as at 04/04/2005.

Changes to legislation: Education Act 1996, Section 247 is up to date with all changes known to be in force on or before 25 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)

- subsection (9)) or by directions under section 24, unless the Secretary of State has consented to the variation, and
- (b) is subject, in the case of a requirement of the kind mentioned in subsection (2) (b), to the provisions of the regulations relating to the determination of the requirements that may be imposed in the case of payments in respect of the grant in question.
- (5) Requirements imposed under subsection (1) may at any time be waived or removed by the funding authority with the consent of the Secretary of State.
- (6) The requirements which may be specified in or authorised by grant regulations as requirements which may be imposed on governing bodies to whom payments are made in respect of special purpose grant or capital grant may, in particular, if any conditions specified in the requirements are satisfied, require the payment to the funding authority of the whole or any part of the following amount.
- (7) That amount is—
- (a) the amount of the payments made in respect of the grant, or
- (b) so much of the value of any premises or equipment in respect of which the grant was paid as is determined in accordance with the requirements to be properly attributable to the payment of such grant,
- whichever is the greater.
- (8) No such requirement as is referred to in subsection (6) may be imposed where any payment is made in respect of capital grant if—
- (a) the grant is made in respect of the provision, alteration or repair of premises for a school, and
- (b) any freehold interest in the premises in respect of which the grant is made is, or is to be, held on trust for the purposes of the school.
- (9) Grant regulations may require the funding authority to impose any such requirements as may be imposed under the preceding provisions of this section.]

Textual Amendments

- F1** S. 247 repealed (1.4.1999 for specified purposes and otherwise prosp.) by 1998 c. 31, ss. 140(1)(3), 145(3), Sch. 30, para. 70, **Sch. 31** (with ss. 138(9), 144(6)); S.I. 1999/1016, art. 2(1), **Sch. 1** (subject to savings in S.I. 1999/2323, Sch. 7 paras. 2, 5, 6, 10, **12**)

Modifications etc. (not altering text)

- C1** S. 247 modified (20.11.1998) by S.I. 1998/2670, **reg. 7(2)**
 S. 247 applied (with modifications) (1.3.1999) by S.I. 1999/274, **regs. 3, 4**
 S. 247 modified (1.4.1999) by S.I. 1999/532, **reg. 5(1)**
 S. 247: functions transferred (1.4.1999) by S.I. 1999/532, **reg. 4**

Status:

Point in time view as at 04/04/2005.

Changes to legislation:

Education Act 1996, Section 247 is up to date with all changes known to be in force on or before 25 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.