



Education Act 1996

1996 CHAPTER 56

PART III

GRANT-MAINTAINED SCHOOLS

CHAPTER VI

FUNDING OF GRANT-MAINTAINED SCHOOLS

Recovery from local funds

256 Recovery from local funds of sums in respect of maintenance grant.

- (1) Where the Secretary of State so determines, this section applies to a local education authority in respect of any financial year for which the determination is made; and the determination may apply this section in respect of all grant-maintained schools in the area of the authority or in respect of such grant-maintained schools in that area as may be ascertained by or in accordance with the determination.
- (2) The Secretary of State shall, in respect of each financial year for which he makes a determination under subsection (1) in respect of a local education authority, give notice in writing to the authority of the terms of the determination.
- (3) The Secretary of State may, in the case of a local education authority to which this section applies in respect of any financial year, recover from the authority sums in respect of the maintenance grant payable for that year to the governing bodies of any grant-maintained schools in respect of which the determination applies.
- (4) Subject to subsection (5), sums recoverable by virtue of this section in respect of a school for any financial year—
 - (a) shall be of such amounts, and
 - (b) shall fall due on such date or dates,as may be determined by the Secretary of State.

Status: Point in time view as at 01/11/1996. This version of this provision has been superseded.

Changes to legislation: Education Act 1996, Section 256 is up to date with all changes known to be in force on or before 24 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) The amount of any sum so recoverable shall be determined by reference to any amount—
- (a) which has previously been determined under section 257 as the total amount recoverable in respect of the school and financial year in question, or
 - (b) (where no amount has previously been determined as mentioned in paragraph (a)) which is estimated by the Secretary of State as the amount which will initially be determined under section 257 as the total amount recoverable in respect of the school and financial year in question,
- and which the Secretary of State considers it appropriate to adopt for the time being as a basis for determining the amounts of sums so recoverable.
- (6) The Secretary of State may recover sums due to him under this section in either or both of the following ways—
- (a) by requiring the local education authority to pay the whole or any part of any such sum at such time or times as he thinks fit, and
 - (b) by deducting, at such time or times as he thinks fit, the whole or any part of any such sum from any grant payable by him to the authority under any enactment (whenever passed) or from any amount payable by him to the authority under Part III of Schedule 8 to the ^{M1}Local Government Finance Act 1988 (redistributed non-domestic rates).

Modifications etc. (not altering text)

C1 S. 256 restricted (1.4.1997) by S.I. 1997/599, reg. 24(1)

Marginal Citations

M1 1988 c. 41.

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