



Education Act 1997

1997 CHAPTER 44

PART VIII

MISCELLANEOUS AND GENERAL

Costs of teachers' premature retirement

50 Recoupment by local education authority of costs of teachers' premature retirement.

- (1) Section 139 of the ^{M1}Education Act 1996 (payments in respect of dismissal etc. of teachers at schools with delegated budgets) shall be amended as follows.
- (2) In subsection (5) (local education authority's costs in respect of teacher's dismissal or premature retirement not normally to be met from school's budget share), at the beginning there shall be inserted " Subject to subsection (5A), ”.
- (3) After that subsection there shall be inserted—
 - “(5A) Subsection (5) does not apply to costs incurred by the local education authority in respect of any premature retirement of a member of the staff of the school occurring on or after the date of the passing of the Education Act 1997; and such costs shall be met from the school's budget share for one or more financial years except in so far as the authority agree with the governing body (whether before or after the retirement occurs) that they shall not be so met.
 - (5B) The agreement of the local education authority for the purposes of subsection (5A) must be given in writing on or after the date of the passing of that Act.”
- (4) For the avoidance of doubt, the provisions inserted by this section have effect in relation to a school despite anything in any scheme prepared by the local education authority under section 103 of the Education Act 1996 (schemes providing for financial delegation).

Status: Point in time view as at 21/03/1997.

Changes to legislation: Education Act 1997, Cross Heading: Costs of teachers' premature retirement is up to date with all changes known to be in force on or before 14 July 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)

Marginal Citations

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