



# School Standards and Framework Act 1998

## 1998 CHAPTER 31

### PART II

#### NEW FRAMEWORK FOR MAINTAINED SCHOOLS

#### CHAPTER IV

#### FINANCING OF MAINTAINED SCHOOLS

#### *Financial delegation*

#### **50 Effect of financial delegation.**

- (1) Where a maintained school has a delegated budget in respect of the whole or part of a financial year the local education authority shall secure that in respect of that year there is available to be spent by the governing body—
  - (a) where the school has a delegated budget in respect of the whole of that year, a sum equal to the school's budget share for the year, or
  - (b) where the school has a delegated budget in respect of only part of that year, a sum equal to that portion of the school's budget share for the year which has not been spent.
- (2) The times at which, and the manner in which, any amounts are made available by the authority to the governing body in respect of any such sum shall be such as may be provided by or under the scheme.
- (3) Subject to any provision made by or under the scheme, the governing body may spend any such amounts as they think fit—
  - (a) for any purposes of the school; or

*Status: Point in time view as at 01/04/2003. This version of this provision has been superseded.*

*Changes to legislation: School Standards and Framework Act 1998, Section 50 is up to date with all changes known to be in force on or before 05 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)*

- (b) (subject also to any prescribed conditions) for such purposes as may be prescribed.
- (4) In subsection (3) “purposes of the school” does not include purposes wholly referable to the provision of—
- [<sup>F1</sup>(za) facilities and services under section 27 of the Education Act 2002 (power of governing body to provide community facilities etc.),]
- (a) part-time education suitable to the requirements of persons of any age over compulsory school age, or
- (b) full-time education suitable to the requirements of persons who have attained the age of 19;
- but any such purposes may be prescribed by regulations under paragraph (b) of that subsection.
- (5) Nothing in subsection (3) shall be read as authorising the payment of allowances to governors otherwise than in accordance with regulations under paragraph 6 of Schedule 11 (or, in the case of temporary governors of a new school, regulations under section 44(5)).
- (6) The governing body may delegate to the head teacher, to such extent as may be permitted by or under the scheme, their powers under subsection (3) in relation to any amount such as is mentioned in that subsection.
- (7) The governors of a school shall not incur any personal liability in respect of anything done in good faith in the exercise or purported exercise of their powers under subsection (3) or (6).

#### Textual Amendments

**F1** S. 50(4)(za) inserted (2.9.2002 for E., 1.9.2003 for W.) by [Education Act 2002 \(c. 32\)](#), s. 216(4), [Sch. 3 para. 3](#) (with [ss. 210\(8\)](#), [214\(4\)](#)); [S.I. 2002/2002](#), art. 4; [S.I. 2003/1718](#), art. 5, Sch. Pt. II

#### Modifications etc. (not altering text)

**C1** Ss. 49-51: power to modify conferred (1.4.2003 for E.) by [Education Act 2002 \(c. 32\)](#), [ss. 25\(1\)\(b\)](#), [216\(4\)](#) (with [ss. 210\(8\)](#), [214\(4\)](#)); [S.I. 2003/124](#), art. 4

#### Commencement Information

**I1** S. 50 wholly in force; s. 50 not in force at Royal Assent see s. 145(3); s. 50(3) and (4) in force at 1.10.1998 by [S.I. 1998/2212](#), art. 2, [Sch. 1 Pt. I](#), [Sch. 2 Pt. I para. 1](#) and s. 50 in force at 1.4.1999 (so far as it is not already in force) by [Sch. 1 Pt. IV](#) of the same S.I.

**Status:**

Point in time view as at 01/04/2003. This version of this provision has been superseded.

**Changes to legislation:**

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