



Education Act 2002

2002 CHAPTER 32

PART 11

MISCELLANEOUS AND GENERAL

Miscellaneous

207 Recoupment: adjustment between local education authorities

- (1) Regulations may provide, in relation to cases where any provision for education to which this section applies is made by a local education authority (in this section referred to as “the providing authority”) in respect of a person who belongs to the area of another local education authority, for requiring or authorising the other authority (in this section referred to as the “home authority”) to pay to the providing authority—
 - (a) such amount as the authorities may agree, or
 - (b) failing agreement, such amount as may be determined by or under the regulations.
- (2) This section applies to primary education and secondary education.
- (3) The regulations may provide for the amounts payable by one authority to another—
 - (a) to reflect the whole or any part of the average costs incurred by local education authorities in the provision of education (whether in England and Wales as a whole or in any particular area or areas), and
 - (b) to be based on figures for average costs determined by such body or bodies representing local education authorities, or on such other figures relating to costs so incurred, as the Secretary of State, or as the case may be the National Assembly for Wales, considers appropriate.
- (4) Regulations made under this section in relation to Wales by the National Assembly for Wales may provide for the amounts so payable, in such cases as may be specified in or determined in accordance with the regulations, to be such amounts as may be determined—

Status: Point in time view as at 09/01/2004. This version of this provision has been superseded.

Changes to legislation: Education Act 2002, Section 207 is up to date with all changes known to be in force on or before 27 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)

- (a) where the providing authority and the home authority are both in Wales, by the National Assembly for Wales, or
 - (b) where the providing authority is in Wales and the home authority is in England, by the Assembly with the consent of the Secretary of State.
- (5) Any dispute between local education authorities in Wales as to whether one of them is entitled to be paid any amount by another under the regulations shall be determined by the National Assembly for Wales.
- (6) Any dispute between a providing authority in Wales and a home authority in England as to whether the providing authority is entitled to be paid any amount by the home authority under the regulations shall be determined by the National Assembly for Wales with the consent of the Secretary of State.
- (7) In this section references to provision for education include provision of any benefits or services for which provision is made by or under this Act or any other enactment relating to education.

Commencement Information

- I1** S. 207 in force at 1.4.2003 except in relation to W. by S.I. 2003/124, art. 4
- I2** S. 207 in force at 9.1.2004 for W. by S.I. 2003/2961, art. 7, Sch. Pt. IV

Status:

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