



Education Act 1944 (repealed 1.11.1996)

1944 CHAPTER 31 7 and 8 Geo 6

PART IV

GENERAL

FINANCIAL PROVISIONS

100 Grants in aid of educational services.

(1) The [^{F1}Secretary of State for Education and Science] shall by regulations make provision:—

(a) for the payment by him to local education authorities of annual grants in respect of the expenditure incurred by such authorities;

[^{F2}(i) ^{F3}

(iii) in the removal of works constructed for the purposes of air-raid precautions or of temporary works constructed for defence purposes by or on behalf of the Secretary of State, the Admiralty or the Minister of Home Security in pursuance of Regulation fifty or fifty-one of the Defence (General) Regulations, 1939, or by agreement, and in the reinstatement of premises so far as it is rendered necessary by any such removal;]

(b) for the payment by him to persons other than local education authorities of grants in respect of expenditure incurred or to be incurred [^{F4}by them for the purposes of, or in connection with, the provision (or proposed provision) of educational services] or for the purposes of educational research; and

(c) for the payment by him, for the purpose of enabling pupils to take advantage without hardship to themselves or their parents of any educational facilities available to them, of the whole or any part of the fees and expenses payable in respect of children attending schools at which fees are payable, . . . ^{F5}

(2) ^{F6}

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Education Act 1944 (repealed 1.11.1996), Financial Provisions. (See end of Document for details)

- (3) Any regulations made by the ^{F1}Secretary of State for Education and Science] . . . ^{F7} under this section may make provision whereby the making of payments by him in pursuance thereof is dependent upon the fulfilment of such conditions as may be determined by or in accordance with the regulations, and may also make provision for requiring local education authorities and other persons to whom payments have been made in pursuance thereof to comply with such requirements as may be so determined.
- (4) ^{F8}
- (5) Nothing in this section shall affect any grants in aid of university education payable out of moneys provided by Parliament otherwise than in accordance with the provisions of this Act.

Textual Amendments

F1 Words substituted by virtue of S.I. 1964/490, **art. 3(2)(a)**

F2 Words substituted by **Local Government Act 1958 (c. 55), Sch. 8 paras. 16(2), 35**

F3 **S. 100(1)(a)(i)(ii)** repealed by **Education Act 1980 (c.20, SIF 41:1), s. 38(6), Sch. 7**

F4 Words substituted by **Education Reform Act 1988 (c. 40, SIF 41:1), ss. 213(3), 231(7), 235(6)**

F5 Words repealed by **Education Act 1962 (c. 12), s. 13, Sch. 2**

F6 **Ss. 100(2), 101** repealed by **Local Government Act 1958 (c. 55), s. 67, Sch. 9 Pt. II**

F7 Words repealed by **Local Government Act 1958 (c. 55), s. 67, Sch. 9 Pt. II**

F8 **S. 100(4)** repealed by **Education Act 1973 (c. 16), Sch. 2 Pt. II**

101 ^{F9}

Textual Amendments

F9 **Ss. 100(2), 101** repealed by **Local Government Act 1958 (c. 55), s. 67, Sch. 9 Pt. II**

102 †Maintenance contributions payable by the Minister in respect of aided schools and special agreement schools.

The ^{F10}Secretary of State for Education and Science] shall pay to the . . . ^{F11} governors of every aided school and of every special agreement school maintenance contributions equal to ^{F12}85 per cent.] of any sums expended by them in carrying out their obligations under paragraph (a) of subsection (3) of section fifteen of this Act in respect of alterations ^{F13}and repairs] to the school buildings . . . ^{F14}^{F15}and may pay the . . . ^{F11} governors of any aided school or special agreement school maintenance contributions not exceeding ^{F12}85 per cent.] of any sums expended by them on the provision of a site or of school buildings in pursuance of proposals approved under ^{F16}section 13 of the Education Act 1980] for a significant enlargement of the school premises:]

Provided that no maintenance contribution shall be payable under this section in respect of any expenditure incurred by the . . . ^{F11} governors of a special agreement school in the execution of repairs or alterations for the execution of which provision is made by the special agreement relating to the school, ^{F15}nor shall a maintenance contribution be payable under this section in respect of any expenditure incurred by the . . . ^{F11} governors of a special agreement school in pursuance of proposals for a significant enlargement

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Education Act 1944 (repealed 1.11.1996), Financial Provisions. (See end of Document for details)

of the school premises, being proposals to which the special agreement for the school relates.]

Textual Amendments

- F10** Words substituted by virtue of S.I. 1964/490, **art. 3(2)(a)**
- F11** Words repealed by [Education Act 1980 \(c. 20, SIF 41:1\)](#), s. 1(3), **Sch. 1 para. 1**
- F12** Words substituted by [Education Act 1975 \(c. 2\)](#), **s. 3**
- F13** Words inserted retrospectively by [Education Act 1946 \(c. 50\)](#), s. 14(1), **Sch. 2 Pt. II**
- F14** Words repealed retrospectively by [Education Act 1946 \(c. 50\)](#), s. 14(1), **Sch. 2 Pt. II**
- F15** Words inserted by [Education Act 1968 \(c. 17\)](#), **Sch. 1 para. 4(1)**
- F16** Words substituted by [Education Act 1980 \(c. 20, SIF 41:1\)](#), s. 16(4), **Sch. 3 para. 4**

Modifications etc. (not altering text)

- C1** Unreliable marginal note.

103 Power of the Minister to make grants in respect of aided schools and special agreement schools transferred to new sites or established in substitution for former schools.

- (1) Where the [^{F17}Secretary of State for Education and Science] by an order made under section sixteen of this Act authorises the transfer of any voluntary school to a new site . . . ^{F18}, then, if the school to be transferred . . . ^{F18} in pursuance of the order is to be maintained as an aided school or a special agreement school, the [^{F17}Secretary of State for Education and Science] may pay to the . . . ^{F19} governors of the school in respect of any sums expended by them in the construction of the school a grant not exceeding [^{F20}85 per cent.] thereof:

Provided that no grant shall be payable under this section to the . . . ^{F19} governors of a special agreement school in respect of any sums expended by them in the execution of proposals to which the special agreement for the school relates.

- (2) ^{F21}
- (3) Without prejudice to the general discretion of the [^{F17}Secretary of State for Education and Science] as to the making of any grant under this section and as to the amount of any such grant, the [^{F17}Secretary of State for Education and Science] shall, in determining the amount of any such grant, take into account any sums which may accrue to the . . . ^{F19} governors or trustees of the school in respect of the disposal of the site from which the school is to be transferred, . . . ^{F18}

Textual Amendments

- F17** Words substituted by virtue of S.I. 1964/490, **art. 3(2)(a)**
- F18** Words repealed by [Education Act 1967 \(c. 3\)](#), **s. 1(5)(a)**
- F19** Words repealed by [Education Act 1980 \(c. 20\)](#), s. 1(3), **Sch. 1 para. 12**
- F20** Words substituted by [Education Act 1975 \(c. 2\)](#), **s. 3**
- F21** [S. 103\(2\)](#) repealed by [Education \(Miscellaneous Provisions\) Act 1953 \(c. 33\)](#), **Sch. 2**

Modifications etc. (not altering text)

- C2** [S. 103\(1\)](#) amended retrospectively by [Education \(Miscellaneous Provisions\) Act 1953 \(c. 33\)](#), **s. 8(1)**
- C3** [S. 103\(3\)](#) extended by [Education Act 1967 \(c. 3\)](#), **s. 1(3)**

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Education Act 1944 (repealed 1.11.1996), Financial Provisions. (See end of Document for details)

104 ^{F22}.....

Textual Amendments

F22 S. 104 repealed by Education Act 1967 (c. 3), s. 1(5)(b)

105 †Power of the Minister to make loans to aided schools and special agreement schools in respect of initial expenditure.

- (1) If upon the application of the . . . ^{F23} governors of any aided school or special agreement school the [^{F24}Secretary of State for Education and Science] is satisfied after consultation with persons representing them that their share of any initial expenses required in connection with the school premises will involve capital expenditure which, in his opinion having regard to all the circumstances of the case, ought properly to be met by borrowing, he may make to the . . . ^{F23} governors of the school for the purpose of helping them to meet that expenditure, a loan of such amount at such rate of interest and otherwise on such terms and conditions as may be specified in an agreement made between him and them with the consent of the Treasury.
- (2) For the purposes of this section, the expression “initial expenses” means in relation to any school premises—
- (a) expenses to be incurred in defraying the cost of any alterations required by the development plan approved by the [^{F24}Secretary of State for Education and Science] for the area;
 - (b) expenses to be incurred in pursuance of any special agreement;
 - ^{F25}(c) (i) expenses to be incurred in providing a site or school buildings on a significant enlargement of the school premises, being expenses in respect of which a maintenance contribution may be paid;
 - (ii) expenses to be incurred in providing school buildings on a site to which the school is to be transferred under the authority of an order under section 16(1) of this Act;
 - (iii) expenses to be incurred in providing a site or school buildings for a new school which by virtue of an order under section 16(2) of this Act is deemed to be in substitution for a discontinued school or schools];
 - (d) expenses certified by the [^{F24}Secretary of State for Education and Science] under the last foregoing section as being attributable to the provision of education for displaced pupils;
- and the . . . ^{F23} governors’ share of any such initial expenses shall be taken to be so much thereof as remains to be borne by them after taking into account the amount of any maintenance contribution, grant under a special agreement, or grant under either of the last two foregoing sections, as may be paid or payable in respect of those expenses.
- (3) If upon an application being made to him under subsection (2) of section fifteen of this Act for an order directing that a school shall be an aided school or a special agreement school it appears to the [^{F24}Secretary of State for Education and Science] that the area served by the school will not be also served by any county school or controlled school, then, unless he is satisfied that the . . . ^{F23} governors of the school will be able to defray the expenses which would fall to be borne by them under paragraph (a) of subsection (3) of that section without the assistance of a loan under this section, the [^{F24}Secretary of State for Education and Science] shall consult such persons or bodies of persons as appear to him to be representative of any religious denomination which,

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Education Act 1944 (repealed 1.11.1996), Financial Provisions. (See end of Document for details)

in his opinion having regard to the circumstances of the area, is likely to be concerned; and, unless after such consultation he is satisfied that the holding of a local inquiry is unnecessary, shall cause such inquiry to be held before determining the application.

Textual Amendments

- F23** Words repealed by [Education Act 1980 \(c. 20, SIF 41:1\)](#), s. 1(3), **Sch. 1 para. 1**
- F24** Words substituted by virtue of [S.I. 1964/490](#), **art. 3(2)(a)**
- F25** [S. 105\(2\)\(c\)](#) substituted by [Education Act 1968 \(c. 17\)](#), **Sch. 1 para. 4(2)**

Modifications etc. (not altering text)

- C4** Unreliable marginal note.
- C5** [S. 105](#) amended by [Education \(Miscellaneous Provisions\) Act 1953 \(c. 33\)](#), **s. 8(3)**, [Education Act 1959 \(c. 60\)](#), **s. 1(4)** and [Education Act 1967 \(c. 3\)](#), **s. 1(4)**

106 ^{F26}

Textual Amendments

- F26** [Ss. 106, 108—110, 114\(4\)](#) and [Sch. 7](#) repealed by [Statute Law \(Repeals\) Act 1975 \(c. 10\)](#), **Sch. Pt. IV**

107 ^{F27}

Textual Amendments

- F27** [S. 107](#) repealed by [Statute Law \(Repeals\) Act 1978 \(c. 45\)](#), **Sch. 1 Pt. V**

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Education Act 1944 (repealed 1.11.1996), Financial Provisions.