
STATUTORY INSTRUMENTS

1980 No. 1862**EDUCATION, ENGLAND AND WALES****The Education (Areas to which Pupils belong) (Amendment)
Regulations 1980**

<i>Made - - - -</i>	<i>2nd December 1980</i>
<i>Laid before Parliament</i>	<i>11th December 1980</i>
<i>Coming into Operation</i>	<i>1st January 1981</i>

In exercise of the powers conferred on the Secretary of State by sections 35(4) and 38(5) of the Education Act 1980 (a), the Secretary of State for Education and Science, as respects England, and the Secretary of State for Wales, as respects Wales, hereby make the following Regulations:—

1. These Regulations may be cited as the Education (Areas to which Pupils belong) (Amendment) Regulations 1980 and shall come into operation on 1st January 1981.

2.—(1) Any reference in the Education (Areas to which Pupils belong) Regulations 1980 (b) to paragraph 3A of Schedule 2 to the Local Government Act 1974 (c) or section 32(2) of the Education Act 1980 shall include a reference to paragraph 6 or, as the case may be, paragraph 5(5) of Part II of Schedule 10 to the Local Government, Planning and Land Act 1980 (d) (which contain corresponding provisions) and, accordingly, the said Regulations of 1980 shall be amended as hereinafter provided.

(2) In the definition of “further education” in Regulation 2(1) of the said Regulations after the words “Local Government Act 1974” there shall be added the words “or paragraph 6 of Part II of Schedule 10 to the Local Government, Planning and Land Act 1980;”

(a) 1980 c.20, extended by paragraph 10 of Part III of Schedule 10 to the Local Government, Planning and Land Act 1980 (c.65).

(b) S.I. 1980/917.

(c) 1974 c.7.

(d) 1980 c.65.

(3) In Regulation 3(1)(b) and (2) of the said Regulations (application of Parts II, III, IV and V) and in the headings to those Parts after the words "section 32(2) of the Act", wherever they occur, there shall be inserted the words "and of paragraph 5(5) of Part II of Schedule 10 to the Local Government, Planning and Land Act 1980".

2nd December 1980.

Mark Carlisle,
Secretary of State for
Education and Science.

2nd December 1980.

Nicholas Edwards,
Secretary of State for Wales.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

The Education (Areas to which Pupils belong) Regulations 1980 apply, *inter alia*, in determining for the purposes of section 32(2) of the Education Act 1980 (education expenditure and rate support grants) whether pupils are to be treated as not belonging to the area of any local education authority or, in Scotland, of any education authority. They define "further education" as excluding advanced further education within paragraph 3A of Schedule 2 to the Local Government Act 1974, as amended by the said Act of 1980 (needs element of rate support grants).

Provisions corresponding to those made in relation to needs element of rate support grant by section 32(2) of the Act of 1980 and paragraph 3A of Schedule 2 to the Act of 1974 are made in relation to block grant by paragraphs 5(5) and 6 of Part II of Schedule 10 to the Local Government, Planning and Land Act 1980. The present Regulations provide that any reference in the Education (Areas to which Pupils belong) Regulations 1980 to these rate support grant provisions shall include a reference to the corresponding block grant provisions.

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