
STATUTORY INSTRUMENTS

1995 No. 936

The Education (Grant-maintained and Grant-maintained Special Schools) (Finance) Regulations 1995

PART 1

GENERAL

Interpretation

2.—(1) In these Regulations, except where the context otherwise requires—

“the 1988 Act” means the Education Reform Act 1988⁽¹⁾ ;

“the 1993 Act” means the Education Act 1993;

“financial year in question” means the financial year beginning in 1995;

“local education authority” means

- (a) in relation to any primary or secondary school and any financial year relating to such a school, the local education authority for the area in which the school is situated; and
- (b) in relation to any special school and any financial year relating to such a school, the local education authority by which the school was maintained immediately before it became a grant-maintained special school;

“preceding financial year” means the financial year beginning in 1994;

“pupils with statements of special educational needs” means pupils for whom statements of their special educational needs are maintained under section 168 of the 1993 Act;

“the 1994 Regulations” means the Education (Grant-maintained Schools) (Finance) Regulations 1994⁽²⁾ ;

“school” means a grant-maintained school situated in England the governing body of which was incorporated under Chapter II, Chapter IV pursuant to proposals published by promoters under section 49, or Chapter IX of Part II of the 1993 Act or a grant-maintained special school situated in England not being such a school established in pursuance of proposals made by the funding authority under section 183 of the 1993 Act;

“the 1994 Special Schools Regulations” means the Education (Grant-maintained Special Schools) (Finance) Regulations 1994⁽³⁾ .

(2) Expressions used in these Regulations set out in the first column of the following table shall have the meanings attributed to them by the provisions set out opposite thereto in the second column, references to regulations being references to regulations of these Regulations—

| | |
|-------------------|----------------------------------|
| aggregated budget | section 33(4)(b) of the 1988 Act |
|-------------------|----------------------------------|

(1) 1988 c. 40.

(2) S.I. 1994/938.

(3) S.I. 1994/2111.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

| | |
|---|-------------------------------------|
| allocation formula | section 38(2) of the 1988 Act |
| capital grants | section 83(1) of the 1993 Act |
| change in the characteristics of the school | regulation 6(10) |
| comparable maintained school | regulation 6(6) |
| date of implementation of the proposals | section 37(2) of the 1993 Act |
| delegated budget | section 33(6)(b) of the 1988 Act |
| financial year | section 305(1) of the 1993 Act |
| general schools budget | section 33(4)(a) of the 1988 Act |
| maintenance grant | section 81(1) of the 1993 Act |
| relevant authority | regulation 27(2) |
| relevant date | regulations 20(7) and 32(7) |
| relevant expenditure | regulation 18(3) |
| relevant percentage | regulation 10(2) |
| scheme | section 51(2)(a) of the 1988 Act(4) |
| school's budget share | section 51(2)(b) of the 1988 Act |
| special purpose grants | section 82(1) of the 1993 Act. |

(3) In these Regulations references to a school becoming a grant-maintained school are references to a school acquiring grant-maintained status Under Chapter II, Chapter IV pursuant to proposals published by promoters under section 49 or Chapter IX of Part II of the 1993 Act or becoming a grant-maintained special school under Part 2 of the Education (Grant-maintained Special Schools) Regulations 1994(5) .

(4) For the purposes of these Regulations, a school becomes a grant-maintained school on the date of implementation of the proposals in respect of the school under Chapter II, IV or IX of Part II of the 1993 Act.

(5) In these Regulations references to primary or secondary schools do not include such schools which are special schools.

(6) Unless the context otherwise requires, any reference in these Regulations to—

- (a) a numbered Part, regulation or Schedule is a reference to the Part, regulation or Schedule in these Regulations so numbered; and
- (b) a numbered paragraph is a reference to the paragraph so numbered in the regulation or Schedule in which the reference appears.

(4) Section 51(2)(a) was amended by section 274(4) of the Education Act 1993.

(5) S.I. 1994/653; amended by S.I. 1994/1231.