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STATUTORY INSTRUMENTS

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**1999 No. 274**

**The Education Act 1996 (Special Purpose and  
Capital Grants) (Modification) Regulations 1999**

**Payment of special purpose grants by the Secretary of State**

**3.** Section 247 of the 1996 Act (imposition of requirements on governing body in receipt of grant) shall apply in relation to the payment of special purpose grant in respect of financial years commencing on or after 1st April 1999 as if—

- (a) in subsections (1), (2) and (6) for references to “the funding authority” there were substituted references to “the Secretary of State”;
- (b) for subsection (3)(b) there were substituted—
  - “(b) may at any time be waived or removed or, subject to subsection (4), varied by the Secretary of State.”;
- (c) for subsection (4) there were substituted—
  - “(4) The power of the Secretary of State to vary such a requirement—
    - (a) does not apply to a requirement of the kind mentioned in subsection (2)(a); and
    - (b) is subject, in the case of a requirement of the kind mentioned in subsection (2)(b), to the provisions of the regulations relating to the determination of the requirements that may be imposed in the case of payments in respect of the grants in question.”;
- (d) subsections (5), (8) and (9) were omitted.