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STATUTORY INSTRUMENTS

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**2000 No. 2057**

**EDUCATION, ENGLAND**

**The Local Education Authority (Post-Compulsory Education Awards) (Amendment) (England) Regulations 2000**

<i>Made</i>	- - - -	<i>26th July 2000</i>
<i>Laid before Parliament</i>		<i>4th August 2000</i>
<i>Coming into force</i>	- -	<i>1st September 2000</i>

In exercise of the powers conferred on the Secretary of State by sections 518(2) and 569(4) of the Education Act 1996(1), the Secretary of State for Education and Employment hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Local Education Authority (Post-Compulsory Education Awards) (Amendment) (England) Regulations 2000 and shall come into force on 1st September 2000.

(2) In these Regulations “the principal Regulations” means the Local Education Authority (Post-Compulsory Education Awards) Regulations 1999(2).

**Amendment of Local Education Authority (Post Compulsory Education Awards) Regulations 1999**

2.—(1) The principal Regulations shall be amended in relation to England in accordance with the following paragraphs of this regulation.

(2) In regulation 2 after the definition of “post-compulsory education award” there shall be inserted the following definition—

““school access fund award” means a post-compulsory education award in respect of which a grant has been made to the local education authority under section 484 of the Education Act 1996(3) (education standards grants).”

(2) For regulation 3 there shall be substituted the following regulation—

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(1) 1996 c. 56; section 518 was substituted by section 129 of the School Standards and Framework Act 1998 (c. 31). By virtue of S.I.1999/672 the powers conferred by that section are exercisable by the Secretary of State only in relation to England.  
(2) S.I. 1999/229.  
(3) Section 484 was amended by paragraph 125 of Schedule 30 to the School Standards and Framework Act 1998.

**“Power to grant post-compulsory education awards**

3.—(1) Subject to paragraph (2) a local education authority shall have power to grant a post-compulsory education award, that is to say—

- (a) a scholarship
- (b) an exhibition
- (c) a bursary, or
- (d) any other allowance

granted in respect of an eligible person for the purpose of enabling that person to take advantage of any educational facilities available to him.

(2) Except where the award is a school access fund award—

- (a) the power in subsection (1) cannot be exercised in relation to any financial year if the local education authority have determined under regulation 4 that it should not be exercised in relation to that financial year; and
- (b) where in relation to any financial year the local education authority have determined under regulation 4 that the power can be exercised only in the case of eligible persons who satisfy particular criteria, the authority shall have power under subsection (1) to grant a post-compulsory education award only in respect of an eligible person who satisfies those criteria.”.

(3) In regulation 4 for paragraph (1) there shall be substituted the following paragraph—

“(1) A local education authority shall determine, in respect of each financial year, whether they should exercise the power in regulation 3(1) in respect of post-compulsory education awards other than school access fund awards and if they are to do so in that year whether to do so—

- (a) generally, or
- (b) only in cases of eligible persons who satisfy such criteria as may be determined by the authority.”

**Transitional Provisions**

3.—(1) A determination made in respect of the 2000–01 financial year under regulation 4 of the principal Regulations (before it is amended by these Regulations) shall not apply in respect of the granting of any school access fund award on or after 1st September 2000.

(2) In this regulation “school access fund award” has the same meaning as in the principal Regulations (as amended by these Regulations).

26th July 2000

*Tessa Blackstone*  
Minister of State,  
Department for Education and Employment

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Local Education Authority (Post-Compulsory Education Awards) Regulations 1999 (“the principal Regulations”) in relation to England.

Regulation 3 of the principal Regulations gives power to local education authorities to grant post-compulsory education awards but this power does not apply in a financial year in relation to which an LEA have determined that it should not do so; and, where an LEA have determined that the power should apply only in relation to persons who satisfy particular criteria, the power can be exercised only so as to make awards to persons who satisfy those criteria. Regulation 4 of the principal Regulations requires an LEA to make determinations in respect of each financial year.

Regulation 2 of these Regulations amends regulations 3 and 4 of the principal Regulations so that the requirements for annual determinations and the effect of them does not apply where the award is a “school access fund award”. This is defined as an award in respect of which a grant has been made to the local education authority under section 484 of the Education Act 1996 (an “education standards grant”).

Regulation 3 provides that a determination made in respect of the 2000-01 financial year is not to apply in respect of the granting of any school access fund award on or after 1st September 2000.