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STATUTORY INSTRUMENTS

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**2001 No. 475**

**The Financing of Maintained  
Schools (England) Regulations 2001**

**PART III**

**SCHOOLS' BUDGET SHARES: MAIN PROVISIONS**

**Additional provisions for redeterminations in relation to the financial years beginning on 1st April 1999: Former grant-maintained or grant-maintained special schools**

**24.**—(1) A local education authority may redetermine a former grant-maintained or grant-maintained special school's budget share for the financial year beginning on 1st April 2001 to take into account changes in that school's non-domestic rates liability or to correct errors in data supplied by the head teacher or governing body of the school, by reference to which the school's budget share for the financial year beginning on 1st April 1999 was determined if—

- (a) such matters have not already been taken into account in any determination or redetermination of that school's budget share for the financial year beginning on 1st April 1999 or 1st April 2000;
- (b) such redetermination as is proposed could have been made in that financial year beginning on 1st April 1999 in accordance with the 1999 regulations.

(2) In so far as a determination under paragraph (1) would require the amount that would otherwise be the budget share of the school to be reduced, it may not be reduced by an amount greater than the amount by which the school's budget share for the financial year beginning on 1st April 1999 determined in accordance with regulation 18 (transitional funding) of the 1999 Regulations could have been reduced.

(3) In so far as a determination under paragraph (1) would require the amount that would otherwise be the budget share of a former grant-maintained or grant-maintained special school to be increased, there shall be deducted from that increase any amount for transitional funding determined in respect of the school in the financial year beginning on 1st April 1999 under regulation 18 (transitional funding) of the 1999 Regulations.

(4) A local education authority shall include factors or criteria in their formula which satisfy the requirements of this regulation.