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STATUTORY INSTRUMENTS

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**2003 No. 453**

**The Financing of Maintained  
Schools (England) Regulations 2003**

**PART 2**

**SCHOOLS' BUDGET SHARES : MAIN PROVISIONS**

**Formula for determination of budget shares**

7.—(1) A local education authority shall determine before the beginning of the financial year beginning on 1st April 2003, and after the consultation referred to in regulation 6, the formula which they will use to determine schools' budget shares in that financial year having regard to the factors, criteria and requirements set out in this Part and in Part 3.

(2) A local education authority shall have regard to the desirability of such a formula being simple, objective, measurable and predictable in effect, and clearly expressed.

(3) A local education authority may not use factors or criteria in their formula under this Part which make an allowance, in whole or in part, for—

- (a) any amount allocated to the school from school standards grant paid to the authority under section 14 of the 2002 Act; or
- (b) any amount included in the school's budget share for the year beginning 1 April 2002 by virtue of Part IV of the 2002 Regulations; or
- (c) any education standards grants, received by the authority pursuant to section 14 of the 2002 Act or section 484 of the 1996 Act, paid in respect of capital projects, of an amount determined by the Secretary of State by reference to a formula, and decisions about the spending of which the authority are required to delegate to the governing bodies of schools.

(4) Subject to regulation 28 (additional arrangements approved by the Secretary of State), a local education authority shall use the formula determined under paragraph (1) in all determinations and redeterminations of budget shares in respect of the financial year.