

ELIZABETH II



Education (Grants and Awards) Act 1984

1984 CHAPTER 11

An Act to make provision for the payment of education support grants to local education authorities in England and Wales; and to amend section 1(3)(d) of the Education Act 1962 so as to refer to the higher national diploma of the Business & Technician Education Council instead of to the corresponding diplomas of the Councils there mentioned. [12th April 1984]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I

EDUCATION SUPPORT GRANTS

1.—(1) The Secretary of State may, in accordance with the provisions of this Part of this Act, make grants to be known as education support grants. Education support grants.

(2) Education support grants shall be payable to local education authorities in England and Wales in respect of expenditure incurred or to be incurred by them of any class or description specified in regulations made by the Secretary of State under this section, being expenditure for or in connection with educational purposes which it appears to him that those authorities should be encouraged to incur in the interests of education in England and Wales.

(3) Regulations under this section shall provide that any education support grant payable in pursuance of the regulations—

- (a) shall only be payable in respect of prescribed expenditure incurred or to be incurred by a local education authority in a financial year to the extent to which that expenditure is approved for that year by the Secretary of State for the purposes of the regulations ; and
- (b) shall be payable at such rate, not exceeding 70 per cent. of the expenditure so approved, as may be specified in the regulations.

(4) Regulations under this section may provide—

- (a) for the time and manner of payment of any education support grant ;
- (b) that the payment of any such grant shall be dependent on the fulfilment of such conditions as may be determined by or in accordance with the regulations ;
- (c) for requiring local education authorities to whom payments have been made in pursuance of the regulations to comply with such requirements as may be so determined.

(5) Regulations under this section may provide for expenditure incurred or to be incurred by any local education authority in making payments, whether by way of maintenance, assistance or otherwise, to any body or persons who incur expenditure for or in connection with educational purposes (including another local education authority) to be treated, in such circumstances as may be specified in the regulations, as prescribed expenditure.

(6) References in this section to prescribed expenditure are to expenditure of a class or description for the time being specified under subsection (2) above ; and references in this section or section 2 below to a financial year are to the period of twelve months ending with 31st March in any year.

(7) Any function of the Secretary of State under this section or section 2 below may be exercised or performed separately and differently for England and for Wales, and any reference in those sections to local education authorities in England and Wales, or otherwise relating to education in England and Wales, shall be construed accordingly.

Limit on
expenditure
approved for
grant
purposes.

2.—(1) The aggregate amount of the expenditure of local education authorities in England and Wales approved for any financial year by the Secretary of State in pursuance of section 1(3)(a) above shall not exceed 0.5 per cent. of the amount determined by him for that year in accordance with this section.

(2) For each financial year the Secretary of State shall by regulations determine for the purposes of this section an amount representing the aggregate amount of expenditure for or in connection with educational purposes which it would in his opinion be appropriate for local education authorities in England and Wales to incur in that year, excluding—

- (a) expenditure under section 1(1) of the Education Act 1962 c. 12, 1962 (awards for university and comparable courses) or in pursuance of section 2(3) of that Act (grants to persons undergoing training as teachers) ;
- (b) prescribed expenditure as defined by or by virtue of Schedule 12 to the Local Government, Planning and Land Act 1980 c. 65 (expenditure of a capital nature) ; and
- (c) such other heads of expenditure (if any) as appear to the Secretary of State to be appropriate to be excluded in relation to that year.

(3) Regulations under this section may determine an amount for a financial year for the purposes of this section either—

- (a) by specifying it ; or
- (b) by providing for it to be ascertained by reference to an amount or amounts specified or to be specified in any Rate Support Grant Report made for that year under section 60 of the said Act of 1980.

(4) Any regulations made in pursuance of subsection (3)(a) above shall relate to one financial year only ; and in arriving at the amount to be specified for a financial year by any such regulations the Secretary of State shall have regard to the matters mentioned in paragraphs (a) to (d) of section 54(4) of the said Act of 1980 so far as relating to expenditure for or in connection with educational purposes or to educational services in England and Wales.

(5) Any regulations made in pursuance of subsection (3)(b) above may determine an amount for the purposes of this section for each one of a number of financial years.

(6) Regulations under this section shall be made before the beginning of the financial year to which they relate or, if they relate to two or more financial years, before the beginning of the first of those years.

3.—(1) Any regulations under this Part of this Act shall be Regulations made by statutory instrument.

(2) No regulations which include provisions authorised by section 1(2) above shall be made unless a draft of the regulations has been laid before and approved by a resolution of each House of Parliament.

(3) A statutory instrument containing regulations under this Part of this Act, not being regulations to which subsection (2) above applies, shall be subject to annulment in pursuance of a resolution of either House of Parliament.

(4) Regulations under this Part of this Act may make different provision for different cases or circumstances, and may contain such incidental, supplementary or transitional provisions as the Secretary of State thinks fit.

(5) Before making any regulations under this Part of this Act the Secretary of State shall consult such bodies representing local education authorities as appear to him to be appropriate.

PART II

AWARDS

Amendment
of s. 1(3)(d)
of Education
Act 1962.
1962 c. 12.

4. In section 1(3)(d) of the Education Act 1962 (under which mandatory awards are payable in respect of attendance at full-time courses for the higher diploma of the Technician Education Council or for the higher national diploma of the Business Education Council), for the words from “for the higher diploma” onwards there shall be substituted the words “or for the higher national diploma of the body corporate known at the passing of the Education (Grants and Awards) Act 1984 as the Business & Technician Education Council.”

PART III

GENERAL

Expenses of
Secretary of
State.

5. Any expenses incurred by the Secretary of State in consequence of this Act shall be paid out of money provided by Parliament.

Short title,
commence-
ment and
extent.

6.—(1) This Act may be cited as the Education (Grants and Awards) Act 1984.

(2) This Act shall come into force at the end of the period of two months beginning with the day on which it is passed.

(3) This Act extends to England and Wales only.

PRINTED IN ENGLAND BY W. J. SHARP

Controller and Chief Executive of Her Majesty's Stationery Office and
Queen's Printer of Acts of Parliament

LONDON: PUBLISHED BY HER MAJESTY'S STATIONERY OFFICE

(541143)

75p net

ISBN 0 10 541184 1