STATUTORY INSTRUMENTS

2009 No. 3144

EDUCATION, ENGLAND

The Bolton Metropolitan Borough Council (School Meals) Order 2009

Made - - - -	*30th November 2009*
Laid before Parliament	*7th December 2009*
Coming into force - -	*1st January 2010*

In accordance with section 2(1) of the Education Act 2002(**a**) ("the Act") the Bolton Metropolitan Borough Council ("the authority") and Lever Edge Lane Primary School, Red Lane Primary School, St. Paul Church of England Primary School, St. Bede Church of England Primary School, Leverhulme Primary School and Castle Hill Primary School in Bolton ("the schools") have applied for this Order to be made.

In accordance with section 4(2) of the Act the authority has consulted such persons as appear to it to be appropriate, and the schools have consulted the authority and such other persons as appear to them to be appropriate.

It is the opinion of the Secretary of State, having regard to the matters set out in section 1(2) of the Act, that the implementation by the authority and the schools of the provisions of this Order may contribute to the raising of educational standards in England.

Accordingly the Secretary of State for Children, Schools and Families in exercise of the powers conferred by sections 2(1) and 210 of the Act makes the following Order.

Citation, commencement, interpretation and application

1.—(1) This Order may be cited as the Bolton Metropolitan Borough Council (School Meals) Order 2009 and comes into force on 1st January 2010.

(2) In this Order—

"the 1996 Act" means the Education Act 1996(**b**);

"the authority" means the Bolton Metropolitan Borough Council;

"the schools" means the Lever Edge Lane Primary School, the Red Lane Primary School, the St. Paul Church of England Primary School, the St. Bede Church of England Primary School, the Leverhulme Primary School and the Castle Hill Primary School.

(3) This Order shall apply only in respect of the authority and the schools and shall cease to have effect on 31st December 2012.

(**a**) 2002 c.32
(**b**) 1996 c.56

Exemptions

2. The authority shall be exempt from the requirement in s.512ZA(2)(**a**) of the 1996 Act in relation to school meals.

3. The governing bodies of the schools shall be exempt from the requirement in s.533(4)(**b**) of the 1996 Act in relation to school meals.

Vernon Coaker
Minister of State
30th November 2007 Department for Children, Schools and Families

(**a**) Section 512ZA was inserted in the 1996 Act by section 201 of the Education Act 2002 (c.32) and amended by section 87(1) of the Education and Inspections Act 2006 (c.40).
(**b**) Section 533(4) was inserted in the 1996 Act by section 87(2) of the Education and Inspections Act 2006 (c.40).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order enables the Bolton Metropolitan Borough Council to charge different prices for school meals in primary schools which it maintains. It also enables the governing bodies of the named schools in Bolton to charge different prices for school meals. These schools are included in the Order because they have a delegated budget for school meals.

Under article 1 the Order only has effect in respect of the authority and the named schools, and will be in force for a period of three years.

Article 2 exempts the authority from the provision in s.512ZA(2) of the Education Act 1996 which requires local education authorities to charge every person the same price for the same quantity of the same item.

Article 3 exempts the governing bodies of the schools from the provision in s.533(4) of the Education Act 1996 which requires governing bodies to charge every person the same price for the same quantity of the same item.

An impact assessment has not been produced for this instrument as it has no impact on the costs of business.

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