STATUTORY INSTRUMENTS

1971 No. 701

EDUCATION, ENGLAND AND WALES

The Local Education Authorities Recoupment (Further Education) (Amendment) Regulations 1971

Made - - -	28*th April* 1971
Laid before Parliament	6*th May* 1971
Coming into Operation	7*th May* 1971

The Secretary of State for Education and Science, in exercise of her powers under section 7(4) of the Education (Miscellaneous Provisions) Act 1953(**a**), hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Local Education Authorities Recoupment (Further Education) (Amendment) Regulations 1971 and shall come into operation on 7th May 1971.

(2) The Interpretation Act 1889(**b**) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Amendment of 1954 *Regulations*

2. At the end of regulation 4 of the Local Education Authorities Recoupment (Further Education) Regulations 1954(**c**) as amended (**d**) (exceptions to rule for determining area to which a pupil is treated as belonging), there shall be added as a new paragraph (7)—

"(7) Notwithstanding any other provisions of these regulations, a pupil who is pursuing a course of study provided by the Open University shall, in respect of any calendar year in which he pursues that course,—

(*a*) if on the 31st October preceding that year he is ordinarily resident within the area of a local education authority, be treated as belonging to the area of that authority; and

(*b*) if on that date he is not so resident, or if although so resident he falls within any of the categories described in paragraphs (1), (2) and (3) of regulation 5 below, be treated as not belonging to the area of any local education authority."

(**a**) 1953 c. 33. (**b**) 1889 c. 63.
(**c**) S.I. 1954/815 (1954 I, p. 721).
(**d**) The relevant amending instruments are S.I. 1955/222, 1956/1588 (1955 I, p. 713; 1956 I, p. 706).

Given under the Official Seal of the Secretary of State for Education and Science on 28th April 1971.

(L.S.)

Margaret H. Thatcher,
Secretary of State
for Education and Science.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These regulations make provision for determining the area, if any, to which a person pursuing a course of study at the Open University is to be treated as belonging for the purposes of the statutory provisions relating to the recoupment of expenditure incurred by local education authorities on further education.