STATUTORY INSTRUMENTS

1970 No. 1010

LOCAL GOVERNMENT, ENGLAND AND WALES

The Rate Support Grant (Amendment) Regulations 1970

Made - - -	*9th July* 1970
Laid before Parliament	*16th July* 1970
Coming into Operation	*1st August* 1970

The Minister of Housing and Local Government, in exercise of his powers unde section 5(1)(*a*) of the Local Government Act 1966**(a)**, and of all other power enabling him in that behalf, hereby makes the following regulations:—

Title and commencement

1. These regulations may be cited as the Rate Support Grant (Amendment Regulations 1970 and shall come into operation on 1st August 1970.

Interpretation

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

(2) In these regulations "the principal regulations" means the Rate Suppor Grant Regulations 1967**(c)** as amended **(d)**.

Amendment of the schedule to the principal regulations

3. For sub-paragraph (3) of paragraph 2 of the schedule to the principa regulations (which provides for calculating the number of education units for ar area, and *inter alia* describes the method of estimating the number of pupils there shall be substituted the following:—

"(3) Pupils who fall within sub-paragraph (2)(*a*) above shall be treated as secondary school pupils where—

(*a*) proposals with respect to the school have been approved by the Secretary of State under section 1 of the Education Act 1964**(e)** (which relates to new schools with special age limits) and

(*b*) they were 11 years of age on the 1st September preceding the time as at which, pursuant to paragraph 7 of this schedule, numbers are required to be estimated,

and otherwise shall be treated as primary school pupils.

(3A) Pupils or children who fall within sub-paragraph (2)(*b*) or (*c*) above shall be treated as primary school pupils if under 12 years of age and as secondary school pupils if 12 years of age or over."

Given under the official seal of the Minister of Housing and Local Government on 9th July 1970.

(L.S.)

Peter Walker,
Minister of Housing and Local Government.

(a) 1966 c. 42.
(b) 1889 c. 63.
(c) S.I. 1967/363 (1967 I, p. 1235).
(d) S.I. 1969/105 (1969 I, p. 339).
(e) 1964 c. 82.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

The Rate Support Grant Regulations 1967 provide for the carrying into effect of sections 1 to 4 of the Local Government Act 1966 (under which rate support grants are paid to local authorities). They determine *inter alia* the method of calculating the number of education units for any area for the purpose of assessing the amounts payable to individual authorities in respect of the needs element of rate support grants. As amended by the Rate Support Grant (Amendment) Regulations 1969, they divide by age pupils at schools approved by the Secretary of State for Education and Science under section 1 of the Education Act 1964 (middle schools) and at independent schools: middle school pupils are treated as secondary school pupils if they are 12 years of age at the time of the count (which is made as at January in each financial year). These Regulations provide that they shall instead be treated as secondary school pupils if they are 11 years of age on the 1st September preceding the count.

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