STATUTORY INSTRUMENTS

1971 No. 1898

LOCAL GOVERNMENT, ENGLAND AND WALES

The Rate Support Grant (Amendment) Regulations 1971

Made - - - -	23*rd November* 1971
Laid before Parliament	30*th November* 1971
Coming into Operation	21*st December* 1971

The Secretary of State for the Environment, in exercise of his powers under section 5(1)(*a*) of the Local Government Act 1966(**a**), and of all other powers 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 1971 and shall come into operation on the 21st December 1971.

Interpretation

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

(2) In these regulations "the principal regulations" means the Rate Support Grant Regulations 1967(**c**) as amended (**d**) and "the Secretary of State" means the Secretary of State for the Environment.

Amendment of regulation 4 *of the principal regulations*

3. In paragraph (1) of regulation 4 of the principal regulations (which provides for estimating the population of an area) after the words "as at 30th June in the year" there shall be added the words "and certified by him to the Secretary of State for rate support grant purposes."

Amendment of the schedule to the principal regulations

4. In the schedule to the principal regulations (which provides for calculating the number of education units for an area)—

(*a*) for paragraphs 1, 2 and 6 there shall be substituted the following paragraphs:—

"1. For the purpose of calculating the numbers of education units for an area for any year, each of the persons and items referred to in column (1) of the following table shall constitute the number of education units specified in relation thereto in column (2).

(**a**) 1966 c. 42. (**b**) 1889 c. 63.
(**c**) S.I. 1967/363 (1967 I, p. 1235).
(**d**) S.I. 1969/105, 1970/1010 (1969 I, p. 339; 1970 II, p. 3154).

(1)	(2)
(*a*) Primary and nursery school pupil	1·00
(*b*) Secondary and special school pupil—	
under 16 years of age	1·79
16 years of age and over	2·87
(*c*) Further education establishment student ...	2·83
(*d*) University or other student award	3·09
(*e*) 1,000 main mid-day meals for day pupils provided in any year in maintained schools ...	0·68

2.—(1) The provisions of this paragraph shall have effect for the purpose of estimating for an area the number of pupils under heads (*a*) and (*b*) of the foregoing table

(2) Regard shall be had to—

(*a*) pupils on the registers of any school which is maintained or assisted by the local education authority for the area;

(*b*) pupils at any other school, the fees for whose tuition are paid by that authority; and

(*c*) children receiving education otherwise than at school, under arrangements made under section 56 of the Education Act 1944(**a**).

(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 for Education and Science under section 1 of the Education Act 1964(**b**) (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.

(4) 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.

(5) The number of pupils at schools recognised as direct grant grammar schools by the Secretary of State for Education and Science for the purposes of any regulations made by him for the payment of grant to such schools, the fees for whose tuition are paid by the local education authority for the area, shall be taken as 70 per cent. of the full number.

6. For the purposes of paragraphs 2 and 3 of this Schedule children or further education establishment students belonging to the area of one local education authority who are pupils on the register of a school or are enrolled at an establishment of further education maintained or assisted by the local education authority for another area shall be

(a) 1944 c. 31. (b) 1964 c. 82.

treated as if the school or further education establishment were maintained or assisted by the authority for the first mentioned area and not by the authority for the other area."

(*b*) paragraph 8 shall be deleted.

Transitional provision

5. Nothing in regulation 4 of these regulations shall affect any calculation required to be made in connection with the payment of rate support grants for any year earlier than 1971-72.

Peter Walker,
Secretary of State for the Environment.

23rd November 1971.

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 provide for estimates to be made of population in any area and also 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.

These Regulations

(*a*) provide for estimates of population to be certified for rate support grant purposes only;

(*b*) amend the method of calculating education units for the years 1971-72 onwards by providing a new table specifying the number of education units to be constituted by each of the persons and items indicated (e.g. school pupils and university awards); and

(*c*) make amendments to the schedule to the Rate Support Grant Regulations 1967 which are consequential upon the coming into force of the provisions of the Education (Handicapped Children) Act 1970 (c. 52).