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STATUTORY INSTRUMENTS

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**1990 No. 1857**

**The Education (Training Grants) Regulations 1990**

**Applications for payment of grant**

9.—(1) No payment of grant shall be made except in response to an application in writing from an education authority to the Secretary of State, authenticated by the officer of the authority responsible for the administration of their financial affairs or his deputy.

(2) Applications for the payment of grant shall relate to expenditure incurred or to be incurred during one or more of the following periods—

- (a) 1st April to 31st July;
- (b) 1st August to 31st December;
- (c) 1st January to 31st March;

and contain such particulars as the Secretary of State may determine.

(3) Where an application relating to expenditure which has been or which it is estimated will be incurred during the period commencing on 1st January in any year is submitted on or before 15th March in that year, such payment as the Secretary of State may determine but not exceeding three-quarters of the grant applied for in respect of that expenditure may be made forthwith, but no further payment of grant shall be made in respect of that expenditure until an application has been submitted in accordance with paragraph (4)(a).

(4) Each authority that has received or seeks to receive a payment of grant in respect of expenditure incurred during the year ending on 31st March, shall, during the period commencing on 1st April or as soon as practicable thereafter—

- (a) submit to the Secretary of State an application which shall specify the expenditure in respect of which grant has been or is being applied for which has been incurred by the authority during that year; and
- (b) secure the submission to the Secretary of State of an unqualified certificate, signed by the auditor appointed by the Audit Commission to audit the accounts of the authority or any auditor qualified for such appointment by virtue of section 13(5) and (6) of the Local Government Finance Act 1982<sup>(1)</sup> certifying that in his opinion the particulars stated in the application submitted by the authority pursuant to this paragraph are fairly stated and that a grant at the rate applied for is properly payable pursuant to these Regulations.

(5) No payment of grant shall be made on or after 1st April 1991 in respect of expenditure by an education authority incurred in the period beginning on 1st August in any year or any subsequent period if grant was paid to the authority in respect of expenditure in the year ending on the preceding 31st March but the Secretary of State has not yet received the auditor's certificate referred to in paragraph (4)(b) for that year.

(6) Any under-payment or over-payment of grant which remains outstanding following receipt of the auditor's certificate referred to in paragraph (4)(b) shall, without prejudice to the recovery of any over-payment from any subsequent payment of grant to the authority, be adjusted by payment between the authority and the Secretary of State.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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