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STATUTORY INSTRUMENTS

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**1989 No. 2406**

**The Education Reform(Northern Ireland) Order 1989**

PART VI

INTEGRATED EDUCATION

CHAPTER II

GRANT-MAINTAINED INTEGRATED SCHOOLS

*Financing of grant-maintained integrated schools*

**Maintenance grants and capital grants**

77.—(1) The payments the Department is required to make in pursuance of its duty to maintain a grant-maintained integrated school are grants to the Board of Governors of the school in respect of expenditure other than expenditure of a capital nature incurred or to be incurred in carrying on the school by the Board of Governors in the financial year to which any such grant relates (to be known as maintenance grants).

(2) The amount of the maintenance grant to be paid under this Article to the Board of Governors of each individual grant-maintained integrated school in any financial year shall—

- (a) in so far as it derives from the aggregated grant-maintained integrated schools budget of the Department for that year, be determined by the Department (and from time to time revised) by the application of a formula determined by the Department for the purpose of dividing that budget among all grant-maintained integrated schools;
- (b) in so far as it derives from excluded heads or items of expenditure of the Department in that year, be such as the Department may determine.

(3) In paragraph (2) the reference to the aggregated grant-maintained integrated schools budget of the Department for a financial year is a reference to the amount remaining after deducting from the amount appropriated by the Department for meeting expenditure in that year in respect of maintenance grants under this Article to all grant-maintained integrated schools (“the general grant-maintained integrated schools budget of the Department”) the amount of any expenditure of the Department in that year on such heads or items of expenditure as the Department may specify for the purposes of this Article (“excluded heads or items of expenditure”).

(4) Before determining the formula to be applied under paragraph (2)(a) in relation to a financial year, the Department shall consult the Board of Governors of every grant-maintained integrated school and any other person or body appearing to the Department to be concerned.

(5) In determining the formula to be applied under paragraph (2)(a) in relation to a financial year the Department shall have regard to the allocation formulae for the time being included in schemes in accordance with Article 49.

(6) Where—

- (a) a new grant-maintained integrated school is established; or

(b) a school acquires grant-maintained integrated status, paragraph (2) shall not apply in relation to the school until such date as the Department may direct; and until that date the amount of the maintenance grant to be paid under paragraph (1) to the Board of Governors of the school shall be such as the Department may determine.

(7) Until the coming into operation of paragraphs (2) to (6), the amount of the maintenance grant to be paid under paragraph (1) to the Board of Governors of each individual grant-maintained integrated school shall be such as the Department may determine.

(8) Regulations may provide for the payment by the Department to the trustees or Board of Governors of a grant-maintained integrated school of grants (to be known as “capital grants”) in respect of approved expenditure of a capital nature incurred or to be incurred for the purposes of the school of any class or description specified in the regulations.

(9) The amount of any capital grant shall be equal to 100 per cent. of the expenditure in respect of which it is paid.

(10) The descriptions of expenditure which are to be regarded for the purposes of this Article as expenditure of a capital nature shall be such as may be determined by or in accordance with regulations.

(11) Maintenance and capital grants shall be made on such conditions (including conditions requiring repayment of all or part of the grant in specified circumstances) as the Department may determine.

(12) In this Article “formula” includes methods, principles and rules of any description, however expressed.

(13) The Department may by order substitute for references in this Article and Article 78 to a financial year references to such other period as may be specified in the order.