

1973. No. 380

[C]

## EDUCATION

## Voluntary Grammar Schools Equipment Grants

REGULATIONS, DATED 28TH SEPTEMBER 1973, MADE BY THE MINISTRY OF EDUCATION WITH THE APPROVAL OF THE MINISTRY OF FINANCE UNDER ARTICLES 106 AND 125 OF THE EDUCATION AND LIBRARIES (NORTHERN IRELAND) ORDER 1972.

The Ministry of Education (hereinafter referred to as 'the Ministry') on behalf of the Secretary of State and in exercise of the powers conferred on it by articles 106 and 125 of the Education and Libraries (Northern Ireland) Order 1972(a) and of every other power enabling it in that behalf and with the approval of the Ministry of Finance hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Voluntary Grammar Schools Equipment Grants Regulations (Northern Ireland) 1973.

(2) These Regulations shall come into operation on 1st October 1973.

(3) The Voluntary Grammar Schools Equipment Grants Regulations (Northern Ireland) 1968(b) are hereby revoked.

*Definitions*

2. In these Regulations

"equipment" does not include equipment required in connection with a school meals service;

"Group A school" means a Group A voluntary school within the meaning of the Secondary Schools (Grant Conditions) Regulations (Northern Ireland) 1973(c);

"Group A(i) school" means a Group A school the trustees or governing body of which have entered into an agreement with the Ministry under Article 9(4) and Schedule 6 of the Order;

"Group B school" means a Group B voluntary school within the meaning of the Secondary Schools (Grant Conditions) Regulations (Northern Ireland) 1973;

"Group B(i) school" means a Group B school the trustees or governing body of which have entered into an agreement with the Ministry under Article 9(4) and Schedule 6 of the Order;

"Order" means the Education and Libraries (Northern Ireland) Order 1972;

"school" means a voluntary grammar school.

*Prior approval*

3. Subject as hereinafter provided, a payment on foot of a grant shall not be made towards expenditure incurred in the purchase of equipment without the prior approval of the Ministry: provided that expenditure incurred without

(a) S.I. 1972, No. 1263 (N.I. 12).  
(b) S.R. & O. (N.I.) 1968, No. 73.

(c) S.R. & O. (N.I.) 1973, No. 403.

the prior approval of the Ministry may be admitted for grant at the discretion of the Ministry either in full or to such extent as the Ministry considers reasonable in the circumstances.

#### *Application for grant*

4.—(1) Applications for payment of grant shall be made by or on behalf of the trustees or other persons in whom the ownership of the school premises is or is to be vested (in these Regulations called “the applicants”) and shall be in such form and contain such particulars and information as the Ministry may require.

(2) Expenditure on equipment shall not, save in so far as the Ministry may otherwise approve, be treated as approved expenditure unless the Ministry is satisfied that a sufficient number of tenders have been invited.

(3) The applicants shall furnish or cause to be furnished to the Ministry all such receipts or other documents as the Ministry may require for the purpose of vouching the approved expenditure towards which the grant is to be paid.

(4) In accepting payment of a grant as a Group A(i) school or a Group B(i) school the applicants and each of them shall be deemed to have entered into an undertaking to the effect that in the event of the termination for any reason of the agreement entered into with the Ministry by the applicants under Article 9(4) and Schedule 6 of the Order they or their successors in title for the time being shall pay to the Ministry such amount as may be determined by the Ministry as representing fifteen per cent. of the value at the date on which the school ceases to be a Group A(i) school or a Group B(i) school as the case may be, of any equipment so provided.

(5) In the event of equipment in respect of the cost of which grant is paid ceasing to be used for purposes for which provision is made in the Order, the applicants shall repay to the Ministry the whole amount of such grant, or such portion thereof as the Ministry may determine, regard being had to the period during which the said equipment was used for the purposes of the school.

#### *Restrictions on Payment of grant*

5. Where loss or damage of equipment has been caused by an unauthorised person and where all or part of the cost of replacement or making good is recoverable from any person other than the applicants, the Ministry shall pay grant only if it is satisfied that all reasonable efforts to recover the required amount have been made without success. Where such cost has been recovered in part the Ministry may pay grant on the balance needed to replace or make good the equipment.

6. The Ministry may refuse to pay grant in respect of expenditure incurred through loss or damage caused by

- (a) neglect or default of the applicants or persons acting on their behalf;
- (b) the use of the school premises or equipment other than for the purposes of the Order or the Recreation and Youth Service (Northern Ireland) Order 1973(d).

7. No grant shall be payable in respect of expenditure on the provision or replacement of equipment arising from damage caused by fire or flood or

through any defect in or accident to a boiler installed on the school premises or any other risk in respect of which the Ministry has issued a direction under Regulation 6(1)(d) of the Voluntary Grammar Schools Building Grant Regulations (Northern Ireland) 1973(e).

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 28th day of September 1973.

(L.S.)

*T. R. Meharg,*  
Assistant Secretary.

The Ministry of Finance on behalf of the Secretary of State hereby approves the foregoing Regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 28th day of September 1973.

(L.S.)

*David Clement,*  
Assistant Secretary.

#### EXPLANATORY NOTE

*(This note is not part of the Regulations, but is intended to indicate their general purport.)*

These Regulations prescribe the conditions under which grants may be made by the Ministry under Article 106(1) of the Education and Libraries Order of 1972 for the provision of equipment for voluntary grammar schools. They revoke the Voluntary Grammar Schools Equipment Grants Regulations 1968.