
STATUTORY INSTRUMENTS

1994 No. 610

**The Education (Grant-maintained Schools)
(Finance) (Wales) Regulations 1994**

PART 1

GENERAL

Citation and commencement

1. These Regulations may be cited as the Education (Grant-maintained Schools) (Finance) (Wales) Regulations 1994 and shall come into force on 1st April 1994.

Interpretation

2.—(1) In these Regulations, except where the context otherwise requires—

“the 1988 Act” means the Education Reform Act 1988(1);

“the 1993 Act” means the Education Act 1993;

“the 1990 Regulations” means the Education (Grant-maintained Schools) (Finance) Regulations 1990(2); and

“school” means a grant-maintained school situated in Wales the governing body of which was incorporated under Chapter II or IX of Part II of the 1993 Act and which was a school maintained by a local education authority before becoming a grant-maintained school.

(2) The following table shows provisions defining or otherwise explaining expressions used in these Regulations (other than provisions defining or explaining an expression used only in the same regulation or Schedule), references in the second column thereof to regulations being references to regulations of these Regulation—

saggregated budget	section 33(4)(b) of the 1988 Act
allocation formula	section 38(2) of the 1988 Act
capital grants	section 89 of the 1993 Act
change in the characteristics of the school	regulation 5(10)
date of implementation of the proposals	sections 37(2) of the 1993 Act
delegated budget	section 33(6)(b) of the 1988 Act
financial year	section 305(1) of the 1993 Act
financial year in question	regulation 4(3)

(1) 1988 c. 40.

(2) S.I.1990/549, amended by S.I.1990/2279 and S.I.1991/353. Those Regulations are repealed (with savings) by these Regulations.

general schools budget	section 33(4)(a) of the 1988 Act ⁽³⁾
maintenance grantsection 87(1) of the 1993 Act preceding financial year	regulation 6(5)
relevant date	regulation 15(7)
relevant expenditure	regulation 13(3)
relevant percentage	regulation 8(2)
scheme	section 51(2)(a) of the 1988 Act ⁽⁴⁾
school's budget share	section 51(2)(b) of the 1988 Act
special purpose grants	section 88 of the 1993 Act.

(3) Any reference in these Regulations to the relevant authority in relation to any school and financial year is a reference to the local education authority in whose area the school is situated, except in regulation 23 where it is a reference to the local education authority named in a determination under section 93 of the 1993 Act applying that section in respect of that school (or that school and other schools) and financial year.

(4) In these Regulations references to a school becoming grant-maintained are references to a school acquiring grant-maintained status under Chapter II or IX of Part II of the 1993 Act.

(5) For the purposes of these Regulations, a school becomes a grant-maintained school on the date of implementation of the proposals in respect of the school under Chapter II or IX (as the case may be) of Part II of the 1993 Act.

(6) Unless the context otherwise requires, any reference in these Regulations to—

- (a) a numbered regulation or Schedule is a reference to the regulation or Schedule in these Regulations so numbered, and
- (b) a numbered paragraph is a reference to the paragraph so numbered in the regulation or Schedule in which the reference appears.

Revocation and transitional provisions

3.—(1) The 1990 Regulations are hereby revoked.

(2) Notwithstanding the provisions of these Regulations the 1990 Regulations shall continue to apply for the purposes—

- (a) of determining, apportioning and redetermining the amount of maintenance grant payable by the Secretary of State in respect of a school for the relevant period, and
- (b) of determining (and revising) the total amount which the Secretary of State may recover from the relevant authority in respect of the relevant period.

(3) The reference in paragraph (2) above to the relevant period is, in relation to England, a reference to the financial year ending on 31st March 1991 and is, in relation to Wales, a reference to the period commencing on 1st April 1990 and ending on 31st March 1994.

(4) Paragraph (1) is without prejudice to the continued operation after 31st March 1994 of any requirements imposed by the Secretary of State on a governing body to whom payments in respect of maintenance grant, capital grant and special purpose grant have been made under the 1990 Regulations.

⁽³⁾ Section 33(4)(a) is amended by section 12(5) of the Further and Higher Education Act 1992 (c. 13).

⁽⁴⁾ Section 51(2)(a) is amended by section 274(4) of the 1993 Act.

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