
STATUTORY INSTRUMENTS

1997 No. 996

The Education (Grant-maintained and Grant-maintained Special Schools) (Finance) Regulations 1997

PART 5

**RECOVERY OF AMOUNTS IN RESPECT OF MAINTENANCE
GRANT FROM A LOCAL EDUCATION AUTHORITY**

Determination of amount to be recovered

61.—(1) Subject to paragraph (2) below, the total amount which the Secretary of State may recover by virtue of section 256 of the 1996 Act from a local education authority named in a determination under that section applying that section in respect of any school in respect of which these Regulations apply, in relation to the financial year in question, is the amount determined in accordance with these Regulations as the amount of the maintenance grant payable in respect of the school and financial year in question (as from time to time revised) excluding any amount determined under regulation 33 (capital expenditure from the revenue account).

(2) The amount which would otherwise fall to be determined in accordance with paragraph (1) above as the total amount recoverable from a local education authority by virtue of section 256 of the 1996 Act in respect of any such school for the financial year in question may be reduced by an amount not exceeding the amount outstanding in respect of any excess amount recovered from the authority under that section in respect of the school in relation to any previous financial year.