
STATUTORY INSTRUMENTS

1997 No. 996

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

PART 3

MAINTENANCE GRANT—COMMON FUNDING FORMULA

Sums to be deducted from the CFF share: excessive surpluses

46.—(1) The funding authority shall, in respect of a school whose maintenance grant for the financial year in question falls to be determined under this Part, determine the amount which appears to them to be equal or approximate to that amount of the school's maintenance grant, and any special purpose grant paid in respect of costs incurred by the school in respect of Value Added Tax, for any financial year prior to the financial year in question which has not been spent by the governing body ("the unspent amount").

(2) Paragraph (3) applies where the unspent amount is greater than the sum of—

- (a) 20 per cent of the amount of maintenance grant that would, ignoring the effects of this regulation, be payable in respect of the school for the financial year in question; and
- (b) the amount of special purpose grant which the funding authority estimate they would, ignoring the effects of this regulation, pay to the governing body in the financial year in question in respect of costs incurred by the school in respect of Value Added Tax.

(3) Where this paragraph applies, the funding authority shall deduct from the amount of the CFF share of the school such amount, if any, as the funding authority, having consulted the governing body of the school, may determine being no greater than the difference between the unspent amount and the sum of the amounts referred to in paragraph (2)(a) and (b).