
STATUTORY INSTRUMENTS

1997 No. 996

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

PART 2

MAINTENANCE GRANT SCHEME REPLICATION

Determination of amount of maintenance grant

5.—(1) The amount of maintenance grant payable for the financial year in question in respect of a school whose maintenance grant falls to be determined under this Part,—

- (a) in the case of a school which becomes a grant-maintained school on or after 1st April in the financial year in question pursuant to proposals published under section 212 of the 1996 Act, shall be the aggregate of the following amounts—
 - (i) an amount (Direct AMG) determined in accordance with regulation 19,
 - (ii) an amount (Central AMG) determined in accordance with regulation 8 (or that regulation as it has effect in accordance with regulation 13 (apportionment)), and
 - (iii) an amount determined in accordance with regulation 9 (Section 11 funding), regulation 11 (as it has effect in accordance with regulation 20(1)) or regulation 20(2) (school meals), regulation 22 (contingencies) and regulation 23 (nursery education), subject, in the case of such a school which becomes a grant-maintained school after 1st April in the financial year in question, to apportionment under regulation 21; and
- (b) in any other case, subject to regulation 15 (which provides an alternative method of determining the amount of maintenance grant for such schools which became grant-maintained schools in the financial year in question), shall be the aggregate of the following amounts—
 - (i) an amount (Direct AMG) determined in accordance with (as the case may be) regulation 6, 7 or 12,
 - (ii) an amount (Central AMG) determined in accordance with regulation 8 (or that regulation as it has effect in accordance with regulation 10 (cash protection) or 13 (apportionment)),
 - (iii) an amount determined in accordance with regulation 9 (Section 11 funding), regulation 11 (school meals) (or that regulation as it has effect in accordance with regulation 14 (apportionment)), regulation 22 (contingencies) and regulation 23 (nursery education),
 - (iv) (where applicable) an amount determined in accordance with regulations 24, 25 and 26, (additions or deductions representing unspent sums from previous budget shares, budget deficits from previous years and deductions from current year's budget share), and

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(v) (where applicable) an amount determined in accordance with regulations 27 and 28 (deductions representing excessive surpluses in previous years and excessive severance payments).

(2) Where in the opinion of the funding authority precise calculation for the purpose of determining any of the amounts referred to in paragraph (1)—

- (a) would be impracticable;
- (b) would not significantly affect the amount; or
- (c) would be disproportionately costly having regard to the complexity of the calculation and the likely effect on the amount,

paragraph (1) shall have effect as if it required the funding authority to determine as the amount of maintenance grant payable for the financial year in question such amount as appears to them to be fair and reasonable having regard in particular to the local education authority's scheme.