
STATUTORY INSTRUMENTS

1998 No. 1759

Education (Northern Ireland) Order 1998

PART VII

FINANCING OF SCHOOLS

CHAPTER II

FINANCING OF SCHOOLS BY DEPARTMENT

Building and equipment grants for voluntary schools

68.—(1) Subject to paragraph (2) and to regulations made with the approval of the Department of Finance and Personnel, the Department may pay to any person in respect of approved expenditure—

- (a) incurred for the provision or alteration of the premises of a voluntary school, a sum equal to—
 - (i) that expenditure where, when that expenditure is approved, the school is—
 - (A) a maintained school in relation to which an agreement under paragraph 1 of Schedule 5 to the 1986 Order is in force; or
 - (B) a voluntary grammar school in relation to which an agreement under paragraph 1(1)(a) of Schedule 6 to the 1986 Order is in force;
 - (ii) eighty-five per cent. of that expenditure where, when that expenditure is approved, the school is—
 - (A) a maintained school not falling within head (i)(A); or
 - (B) a voluntary grammar school in relation to which an agreement under paragraph 1(1)(b) of Schedule 6 to the 1986 Order is in force;
 - (iii) sixty-five per cent. of that expenditure in any other case;
- (b) incurred for the provision of equipment provided in connection with the provision or alteration of the premises of a voluntary grammar school, a sum equal to—
 - (i) that expenditure where, when that expenditure is approved, an agreement under paragraph 1(1)(a) of Schedule 6 to the 1986 Order is in force in relation to the school;
 - (ii) eighty-five per cent. of that expenditure where, when that expenditure is approved, an agreement under paragraph 1(1)(b) of Schedule 6 to the 1986 Order is in force in relation to the school;
 - (iii) sixty-five per cent. of that expenditure in any other case;

(2) No grant shall be paid under paragraph (1)(a)(iii) to a person in respect of expenditure incurred for the provision or alteration of any premises of a voluntary grammar school other than school meals premises.

(3) In paragraph (2) “schools meals premises” means premises used, or to be used, wholly or mainly for the carrying out of arrangements approved under Article 58(5) or (6) of the 1986 Order.

(4) Where a contract entered into for the provision or alteration of the premises of a school provides for payment by instalments, the date on which an instalment is paid under the contract may, for the purposes of this Article, be taken as the date on which expenditure of the amount of that instalment has been incurred.

(5) For the purposes of this Article, any question as to the date on which any expenditure was incurred or approved shall be determined by the Department.

(6) Regulations under paragraph (1) may make provision for—

- (a) the repayment in such circumstances as are prescribed of the whole or part of any grant paid under this Article;
- (b) the reduction in such circumstances as are prescribed of the amount of grant which would otherwise be payable under this Article;
- (c) the payment to the Department by such person as may be prescribed of a sum where—
 - (i) any premises of a school in respect of which the Department has, at any time after 8th August 1978, paid a grant under paragraph (1)(a), cease to be used for approved purposes of a grant-aided school; or
 - (ii) any site in respect of which the Department has, at any time after that date, paid a grant under paragraph (1)(a), ceases, in the opinion of the Department, to be required for the purposes of a grant-aided school.

(7) Without prejudice to the generality of paragraph (6), regulations making any such provision as is mentioned in that paragraph may—

- (a) provide for any repayment, reduction or payment under the regulations to be of such amount as the Department considers equitable;
- (b) provide for any such repayment, reduction or payment not to exceed such amount as may be determined under or in accordance with the regulations;
- (c) provide for any amount determined as mentioned in sub-paragraph
- (b) to include an amount in respect of interest calculated in such manner as may be prescribed; and
- (d) apply, subject to paragraph (6)(c), to grants made before the coming into operation of this Article under Article 116 of the 1986 Order.

Capital and special purpose grants for grant-maintained integrated schools

69.—(1) Regulations may provide for the payment by the Department to the Board of Governors of a grant-maintained integrated school of grants (known as capital grants) in respect of approved expenditure of a capital nature, of any class or description specified in the regulations, incurred or to be incurred for the purposes of the school.

(2) Regulations may provide for the payment by the Department to the Board of Governors of a grant-maintained integrated school of grants (known as special purpose grants) in respect of approved expenditure of a class or description specified in the regulations—

- (a) which is incurred or to be incurred by the Board of Governors; and
- (b) which it appears to the Department the Board of Governors cannot reasonably be expected to meet from maintenance grant under Article 63.

(3) The amount of any capital or special purpose grant shall be equal to 100 per cent. of the approved expenditure in respect of which it is given.

(4) The descriptions of expenditure which are to be regarded for the purposes of this Article as expenditure of a capital nature shall be such as may be determined by or in accordance with regulations.

(5) Capital and special purpose grants shall be made on such conditions (including conditions as to repayment) as the Department may determine.

(6) The times at which, and the manner in which, payments are made in respect of capital or special purpose grants shall be such as the Department may determine.