1991 No. 348

EDUCATION

Voluntary Grammar Schools Equipment Grants Regulations (Northern Ireland) 1991

Made	*2nd August 1991*
Coming into operation . .	*2nd September 1991*

The Department of Education, in exercise of the powers conferred on it by Articles 116(1) and (4) and 134(1) of the Education and Libraries (Northern Ireland) Order 1986(**a**) and every other power enabling it in that behalf, and with the approval of the Department of Finance and Personnel, hereby makes the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Voluntary Grammar Schools Equipment Grants Regulations (Northern Ireland) 1991 and shall come into operation on 2nd September 1991.

Revocations

2.—(1) Subject to paragraph (2) the Voluntary Grammar Schools Equipment Grants Regulations (Northern Ireland) 1973(**b**) and the Voluntary Grammar Schools Equipment Grants (Amendment) Regulations (Northern Ireland) 1983(**c**) are hereby revoked.

(2) Paragraph (1) shall not affect the continued operation of regulation 4(5) of the Voluntary Grammar Schools Equipment Grants Regulations (Northern Ireland) 1973 in cases where grant is paid before the commencement of these Regulations.

Interpretation

3. In these Regulations—

"equipment" means equipment provided in connection with the provision or alteration of the premises of a voluntary grammar school but does not include equipment associated with the provision of a school meals service;

"the Order" means the Education and Libraries (Northern Ireland) Order 1986.

(**a**) S.I. 1986/594 (N.I. 3); Article 116(1) was amended by S.I. 1989/2406 (N.I. 20) Article 166 and Schedule 9

(**b**) S.R. & O. (N.I.) 1973 No. 380 as amended by S.R. 1983 No. 313

(**c**) S.R. 1983 No. 313

Prior approval of expenditure

4. Grant shall not be paid towards expenditure incurred in the provision of equipment unless that expenditure is approved by the Department before it is incurred.

Application for grant etc.

5.—(1) Applications for payment of grant in respect of expenditure on equipment shall be made by or on behalf of the trustees or other persons in whom the ownership of the school premises is, or is to be vested (in these Regulations called "the applicants") and shall be in such form and contain such particulars and information as the Department may determine.

(2) Expenditure on equipment shall not be treated as approved expenditure unless the Department is satisfied that a sufficient number of tenders has been obtained.

(3) The applicants shall furnish to the Department such evidence as it may require for the purpose of verifying the expenditure on which grant is claimed.

Repayment of grant

6.—(1) In the event of equipment in respect of the cost of which grant is paid ceasing to be used for the purposes of a grant-aided school there shall be repayable by the applicants, such grants as were paid towards the cost of the equipment or such sum as the Department considers equitable having regard to the period during which the equipment was used.

(2) Paragraph (1) shall not apply in respect of grants paid before the commencement of these Regulations.

Sealed with the Official Seal of the Department of Education on 2nd August 1991.

(L.S.) *A. McVeigh*
Assistant Secretary

The Department of Finance and Personnel hereby approves the foregoing Regulations.

Sealed with the Official Seal of the Department of Finance and Personnel on 2nd August 1991.

(L.S.) *Doreen Browne*
Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations prescribe conditions under which grants may be made by the Department of Education under Article 116(1) of the Education and Libraries (Northern Ireland) Order 1986 as amended by Article 166 of and Schedule 9 to the Education Reform (Northern Ireland) Order 1989, for equipment provided in connection with the provision or alteration of the premises of a voluntary grammar school.

The Regulations—

(*a*) provide that expenditure must be approved by the Department of Education before it is incurred (regulation 4);

(*b*) prescribe the persons who may apply for grant and provide for the form of application (regulation 5(1));

(*c*) provide that expenditure shall not be treated as approved expenditure unless the Department of Education is satisfied that a sufficient number of tenders has been obtained (regulation 5(2));

(*d*) provide for the verification of expenditure (regulation 5(3)) and for the repayment of grant in certain circumstances (regulation 6).

The Regulations come into effect on 2nd September 1991 and, subject to a saving provision, revoke with effect from the same date the Voluntary Grammar Schools Equipment Grants Regulations (Northern Ireland) 1973 and the Voluntary Grammar Schools Equipment Grants (Amendment) Regulations (Northern Ireland) 1983.