
STATUTORY INSTRUMENTS

1989 No. 2406

The Education Reform(Northern Ireland) Order 1989

PART V

FINANCING SCHOOLS

Miscellaneous

Charges for educational facilities and services

62.—(1) Notwithstanding anything in the instrument of government of the school—

- (a) the Board of Governors of a controlled school which has a delegated budget;
- (b) the managers of a voluntary school; and
- (c) the Board of Governors of a grant-maintained integrated school,

may make available educational facilities or services to any other school, institution, body or person and, subject to paragraphs (3) and (4), may make charges for any facilities or services made available under this paragraph.

(2) A board may make available educational facilities or services in a controlled school which is under the management of the board and does not have a delegated budget, to any school, institution, body or person and, subject to paragraphs (3) and (4), may make charges for any facilities or services made available under this paragraph.

(3) Charges under paragraphs (1) and (2)—

- (a) shall not be made in such circumstances or for such educational facilities or services as may be prescribed;
- (b) shall not for any prescribed educational facility or service exceed such amount as may be prescribed,

but shall otherwise be of such amounts and be made in respect of such educational facilities and services as the body making the charges may determine.

(4) Nothing in paragraphs (1) to (3) applies to any charge which is prohibited or regulated by any provision of Chapter II of Part VIII.

(5) The scheme of management for every controlled school shall provide—

- (a) for the use of the school premises to be under the control of the Board of Governors of the school at all times except, in the case of a controlled school which does not have a delegated budget, to the extent necessary for the exercise by the board of its powers under paragraph (2); and
- (b) for the Board of Governors to exercise control subject to any direction given to it by the board.

(6) In this Article—

“educational facilities” means the equipment, premises or other property of a school;

“educational services” includes services provided by teachers.

Interpretation of Part V

63.—(1) In this Part—

- (a) references to a scheme are references—
 - (i) to a scheme made by a board under Article 46; and
 - (ii) in a context referring to a particular board, to a scheme so made by that board;
- (b) references to a school’s budget share for any financial year—
 - (i) shall be read in accordance with Article 46(2)(a); and
 - (ii) include references to that share as from time to time revised in accordance with the scheme under which it is determined;
- (c) references to the general schools budget of a board shall be read in accordance with Article 46(4)(a);
- (d) references to the aggregated budget of a board shall be read in accordance with Article 46(4)(b);
- (e) references to excepted heads or items of expenditure shall be read in accordance with Article 46(4)(b);
- (f) references to a school in respect of which financial delegation is required for any financial year shall be read in accordance with Article 46(6)(a);
- (g) references to a school which has a delegated budget shall be read in accordance with Article 46(6)(b);
- (h) references to a relevant school shall be read in accordance with Article 46(6)(c);
- (i) references to the delegation requirement under a scheme shall be read in accordance with Article 50(3).

(2) Directions given under this Part by the Department—

- (a) shall be given in writing; and
- (b) shall, except for directions under Article 48(9), be published by the Department in such manner as it thinks fit.