

SCHEDULES

SCHEDULE 8

THE COUNCIL FOR CATHOLIC MAINTAINED SCHOOLS

Financial arrangements

14.—(1) The Council shall, at such times, in such form and in respect of such periods as the Department may direct, submit to the Department in relation to each such period estimates of its payments and receipts in respect of its functions and the Department may approve any such estimates with or without modifications in respect of such periods as the Department considers appropriate.

(2) The Council may at any time where necessary submit supplementary or revised estimates to the Department and the Department may approve any such estimates with or without modifications.

(3) The Council shall submit to the Department such information relating to any estimate submitted under this paragraph as the Department may require.

(4) The Council shall not incur expenditure otherwise than in accordance with estimates approved by the Department under this paragraph.

15.—(1) The Department may pay to the Council in respect of approved expenditure—

(a) incurred for the provision or alteration of premises for the use of the Council, a sum equal to eighty-five per cent. of that expenditure;

(b) incurred for the provision of equipment for the Council, a sum equal to that expenditure.

(2) The Department may pay to the Council grants equal to the approved net expenditure incurred by the Council in accordance with estimates approved under paragraph 14 less the amount of any sums received by the Council otherwise than from the Department.

(3) In sub-paragraph (2) “approved net expenditure” does not include any expenditure mentioned in sub-paragraph (1)(a) or (b).

16.—(1) Where any premises in respect of which the Department has paid a grant under paragraph 15(1)(a) cease to be used for approved purposes of the Council, there shall be payable to the Department by the Council or its successors in title such sum as the Department considers equitable but not exceeding such proportion of the value of the premises as the proportion that the amount of the grant was of the approved cost of the provision or alteration of the premises together with interest on that sum from the date on which the premises ceased to be used as aforesaid until the date of payment to the Department.

(2) Where any site which has been acquired for the purposes of the Council and in respect of which the Department has paid a grant under paragraph 15(1)(a) ceases in the opinion of the Department to be required for such purposes, there shall be payable to the Department by the Council or its successors in title such sum as the Department considers equitable but not exceeding such proportion of the value of the site as the proportion that the amount of the grant was of the approved cost of the acquisition of the site together with interest on that sum from the date on which the site so ceased to be required until the date of payment to the Department.

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(3) Where the Department proposes to pay a grant under paragraph 15(1)(a) in respect of the provision or alteration of premises used or to be used for the purposes of the Council and the new or altered premises in the opinion of the Department replace any premises in respect of which the Department has paid a grant under paragraph 15(1)(a) or (before the coming into operation of this paragraph) under the Educational and Library Services Etc. Grants Regulations (Northern Ireland) 1973(2), the Department may either—

- (a) reduce the amount of the grant so payable by such amount as the Department considers equitable; or
- (b) attach to the grant a condition that when the replaced premises cease to be used for approved purposes of the Council, there shall be payable to the Department by the Council or its successors in title such amount as the Department considers equitable.

(4) The amount by which a grant may be reduced under sub-paragraph (3)(a) or the amount payable to the Department under sub-paragraph (3)(b) shall consist of a sum not exceeding such proportion of the value of the replaced premises as the proportion that the amount of the grant is or was of the approved cost of the provision of the new or altered premises together with interest on that sum from the date on which the premises ceased to be used as aforesaid until the date of the payment of the grant under sub-paragraph (3)(a) or, as the case may be, the payment to the Department under sub-paragraph (3)(b).

(5) For the purposes of sub-paragraphs (1), (2) and (4) the value of premises or a site shall be taken to be the amount which the premises or site might be expected to realise if sold in the open market on the date on which the premises ceased to be used or the site ceased to be required as aforesaid and where the Department certifies that it is not possible to reach agreement as to such value, the dispute as to such value may be referred to and determined by the Lands Tribunal for Northern Ireland.

(6) Where any equipment in respect of which the Department has paid a grant under paragraph 15(1)(b) ceases to be used for approved purposes of the Council, there shall be payable to the Department by the Council such sum as the Department considers equitable, regard being had to the length of the period during which the equipment was used for those purposes.

(7) For the purposes of sub-paragraphs (1), (2) and (4) interest shall be at such rate as may from time to time be determined by the Department of Finance and Personnel under paragraph 18(2) of Schedule 6 to the Local Government Act (Northern Ireland) 1972(1).

(8) Any sum payable to the Department under this paragraph may be recovered as a debt due to the Department.

17.—(1) The Council shall—

- (a) keep, in such form as the Department may direct, proper accounts of all moneys received and of all moneys paid out by it and such other records as the Department may direct;
- (b) submit to the Department, on or before such date in each year as the Department may determine, a statement of its accounts in respect of the financial year then last previously occurring, in such form and containing such information as the Department, after consultation with the Department of Finance and Personnel, may determine.

(2) The accounts, books and records of the Council shall be open at all times to inspection by the Comptroller and Auditor General for Northern Ireland and by officers of the Department.

(3) The statement of accounts shall be examined and certified by auditors appointed by the Council and approved by the Department and the report of the auditors thereon shall be sent to the Council and the Department.

(2) S.R. & O. (N.I.) 1973 No. 439

(1) 1954 c. 33 (N.I.)

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(4) The Department shall lay before the Assembly a copy of the statement of accounts together with the report of the auditors thereon.