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## STATUTORY INSTRUMENTS

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# 1998 No. 1759

## Education (Northern Ireland) Order 1998

### PART VII

#### FINANCING OF SCHOOLS

##### CHAPTER I

##### FINANCING OF SCHOOLS BY BOARDS

*Financing by boards of voluntary grammar and grant-maintained integrated schools*

#### **Maintenance and other grants to voluntary grammar schools**

**61.**—(1) Subject to the provisions of this Article and Article 62, <sup>F1</sup>[the Authority] shall in respect of each financial year make grants (known as maintenance grants) to the Board of Governors of a voluntary grammar school <sup>F2</sup>... in respect of expenditure incurred or to be incurred in that year in carrying on the school, except—

- (a) expenditure incurred or to be incurred for the provision or alteration of the premises of the school; and
- (b) expenditure incurred or to be incurred for the provision of equipment for the school which is approved expenditure for the purposes of Article 68(1)(b).

<sup>F3</sup>(2) The amount of the maintenance grant payable in respect of a voluntary grammar school for a financial year shall be the sum of—

- (a) an amount equal to the budget share of the school for that year; and
- (b) such other amount determined by or in accordance with the common funding scheme as, in accordance with that scheme, falls to be paid by way of maintenance grant.]

(3) <sup>F4</sup>[The Authority] shall make grants to the trustees of a voluntary grammar school <sup>F5</sup>... of amounts equal to the costs of the trustees on foot of an approved contract.

(4) Grants under this Article shall be made on such conditions (including conditions as to repayment) as <sup>F6</sup>[the Authority] may determine with the approval of the Department.

(5) The times at which, and the manner in which, payments are made in respect of grants under this Article shall be such as <sup>F7</sup>[the Authority] may determine with the approval of the Department.

(6) Subject to any conditions imposed under paragraph (4), the Board of Governors of a voluntary grammar school—

- (a) shall be entitled to spend any sums received by it by way of maintenance grants as it thinks fit for the purposes of the school; and
- (b) may delegate to the principal its power under sub-paragraph (a) in relation to any such sums.

**Changes to legislation:** Education (Northern Ireland) Order 1998, Section 61 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(7) The members of the Board of Governors of a voluntary grammar school shall not incur any personal liability in respect of anything done in good faith in the exercise or purported exercise of their powers under paragraph (6).

- F1** Words in Order substituted (1.4.2015) by [Education Act \(Northern Ireland\) 2014 \(c. 12\)](#), [Sch. 3 para. 1\(1\)\(a\)](#) (with [Sch. 2 para. 4\(3\)](#), [Sch. 3 para. 1\(2\)](#)); S.R. 2015/35, [art.2\(b\)](#) (but this amendment cannot take effect until the commencement of S.I. 1998/1759, [art. 61](#))
- F2** Words in art. 61(1) repealed (1.4.2015) by [Education Act \(Northern Ireland\) 2014 \(c. 12\)](#), [Sch. 4](#) (with [Sch. 2 para. 4\(3\)](#)); S.R. 2015/35, [art. 2\(b\)](#) (but this amendment cannot take effect until the commencement of S.I. 1998/1759, art. 61)
- F3** [2003 NI 12](#)
- F4** Words in Order substituted (1.4.2015) by [Education Act \(Northern Ireland\) 2014 \(c. 12\)](#), [Sch. 3 para. 1\(1\)\(a\)](#) (with [Sch. 2 para. 4\(3\)](#), [Sch. 3 para. 1\(2\)](#)); S.R. 2015/35, [art.2\(b\)](#) (but this amendment cannot take effect until the commencement of S.I. 1998/1759, [art. 61](#))
- F5** Words in art. 61(3) repealed (1.4.2015) by [Education Act \(Northern Ireland\) 2014 \(c. 12\)](#), [Sch. 4](#) (with [Sch. 2 para. 4\(3\)](#)); S.R. 2015/35, [art. 2\(b\)](#) (but this amendment cannot take effect until the commencement of S.I. 1998/1759, art. 61)
- F6** Words in Order substituted (1.4.2015) by [Education Act \(Northern Ireland\) 2014 \(c. 12\)](#), [Sch. 3 para. 1\(1\)\(a\)](#) (with [Sch. 2 para. 4\(3\)](#), [Sch. 3 para. 1\(2\)](#)); S.R. 2015/35, [art.2\(b\)](#) (but this amendment cannot take effect until the commencement of S.I. 1998/1759, [art. 61](#))
- F7** Words in Order substituted (1.4.2015) by [Education Act \(Northern Ireland\) 2014 \(c. 12\)](#), [Sch. 3 para. 1\(1\)\(a\)](#) (with [Sch. 2 para. 4\(3\)](#), [Sch. 3 para. 1\(2\)](#)); S.R. 2015/35, [art.2\(b\)](#) (but this amendment cannot take effect until the commencement of S.I. 1998/1759, [art. 61](#))

#### Commencement Information

- I1** [Art. 61](#) in operation at 1.4.2016 by S.R. 2016/207, [art. 2\(a\)](#)

**Changes to legislation:**

Education (Northern Ireland) Order 1998, Section 61 is up to date with all changes known to be in force on or before 13 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Order associated Parts and Chapters:**

- Order words substituted by [2014 c. 12 \(N.I.\) Sch. 3 para. 1\(1\)\(b\)](#)

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 89A inserted by [2022 c. 45 s. 5](#)