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SCOTTISH STATUTORY INSTRUMENTS

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**1999 No. 65**

**EDUCATION**

**The Educational Development, Research and Services (Scotland) Grant Regulations 1999**

*Made* - - - - - *16th September 1999*  
*Laid before the Scottish Parliament* - - - - - *17th September 1999*  
*Coming into force* - - - - - *18th October 1999*

The Scottish Ministers, in exercise of the powers conferred on them by sections 73(a), (b), (c), (d), (e) and (g) and 74(1) of the Education (Scotland) Act 1980<sup>(1)</sup>, and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation, commencement and interpretation**

1. These Regulations may be cited as the Educational Development, Research and Services (Scotland) Grant Regulations 1999 and shall come into force on 18th October 1999.

**Grants for educational development, research and services**

2. The Scottish Ministers may pay in accordance with these Regulations to any person or body of persons corporate or unincorporate grants in respect of expenditure approved by them, incurred or to be incurred by such person or body for or in connection with any of the following purposes:—

- (a) the progressive development of any branch of education;
- (b) the conduct of educational research and the publication of reports on such research;
- (c) for the purposes of, or in connection with, the provision (or proposed provision), whether by them, or any other person, of educational services of an administrative, advisory, informatory, organising or training character.

**Determination and payment of grants**

3.—(1) Grants under these Regulations shall be of such amounts and paid at such rates and in respect of such periods as the Scottish Ministers may determine.

(2) Grants under these Regulations may be paid as single payments or by instalments of such amounts and at such time as the Scottish Ministers may determine.

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(1) 1980 c. 44; section 73(d) was amended by the Self Governing Schools etc. (Scotland) Act 1989 (c. 39), section 73; section 74(1) was amended by that Act, Schedule 10, paragraph 8(17). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).

### **Conditions for payment of grant**

4.—(1) No grant shall be payable except in the response to an application in writing to the Scottish Ministers.

- (2) No grant shall be payable unless the person or body to whom it may be paid—
- (a) keeps such records and accounts as the Scottish Ministers may require in such form as they may require and has such accounts audited to the satisfaction of the Scottish Ministers;
  - (b) submits to the Scottish Ministers the audited accounts and relative vouchers and other documents when so required by them;
  - (c) makes such reports and returns and gives such information to the Scottish Ministers as they may require;
  - (d) affords to any of Her Majesty's Inspectors of Schools, or any other person appointed by the Scottish Ministers, all reasonable facilities which he may require to inform himself as to the progress of the work in aid of which grant may be paid.

(3) The Scottish Ministers may from time to time determine further conditions on the fulfilment of which the making of any payment in pursuance of these Regulations shall be dependent.

(4) Where conditions have been determined in pursuance of paragraph (3), no grant shall be payable unless the conditions have been fulfilled or been withdrawn in pursuance of paragraph (5).

(5) The Scottish Ministers may determine to withdraw or, after consulting the person or body to whom a grant may be paid, vary conditions determined in pursuance of paragraph (3).

### **Requirements relating to grants**

5.—(1) A person or body to whom a payment of grant has been made shall comply with such requirements as may be determined by the Scottish Ministers in the case in question.

- (2) Requirements determined under paragraph (1) may include requirements as to—
- (a) the repayment of grants;
  - (b) the payment to the Scottish Ministers of sums related to the value of assets acquired, provided or improved with the aid of grant; or
  - (c) the payment of interest on sums due to the Scottish Ministers.

### **Revocation**

6. The Educational Development, Research and Services (Scotland) Grant Regulations 1946(2) are hereby revoked.

St Andrew's House, Edinburgh  
16th September 1999

*SAM GALBRAITH*  
A member of the Scottish Executive

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations enable the Scottish Ministers to pay grants in respect of expenditure incurred for or in connection with the progressive development of any branch of education, the conduct of educational research and the publication of reports on it, or the provision of educational services of an administrative, advisory, informatory, organising or training character.

The Regulations replace the Educational Development, Research and Services (Scotland) Grant Regulations 1946. The main changes of substance are that education authorities, who were excluded from receiving grant under the 1946 Regulations, are now included and also the approved expenditure has been extended to include the provision of educational services of an administrative, informatory and training character.