
SCOTTISH STATUTORY INSTRUMENTS

2001 No. 222

The Education (Assisted Places) (Scotland) Regulations 2001

PART V

REIMBURSEMENT CLAIMS AND CONDITIONS OF PAYMENT

Reimbursement claims

22.—(1) Claims for reimbursement of fees remitted and grants made and charges remitted in pursuance of these Regulations (hereinafter referred to as “reimbursement claims”) may be submitted to the Scottish Ministers by a participating school in respect of such periods, not being less than a term, as appear to it appropriate and, with their consent, claims may be submitted on the basis of an estimate of fees or charges so remitted or grants made (“provisional claims”); but where a provisional claim is submitted, the school shall, as soon as is reasonably practicable, submit a reimbursement claim in respect of the period in question which is not based on such an estimate and that claim shall supersede the provisional claim.

(2) As soon as is reasonably practicable after they are satisfied as respects a reimbursement claim, the Scottish Ministers shall reimburse the school in pursuance of the claim in accordance with these Regulations without prejudice, however, where they consider it expedient to do so, to their making earlier payments on account in pursuance of the reimbursement claim or in pursuance of a provisional claim in respect of the same period.

(3) Any overpayment or underpayment which appears to the Scottish Ministers to have occurred shall be adjusted as soon as is reasonably practicable by payments between the Scottish Ministers and the school concerned and, in particular, but without prejudice to that generality, where the amount of any reimbursement claim under these Regulations is less than the amount paid to the school under a provisional claim, the Scottish Ministers shall be entitled to recover the amount overpaid from that school and, without prejudice to any other method of recovery available to them, they may deduct that amount from the amount of any other reimbursement claim falling to be paid to that school in accordance with these Regulations.