

STATUTORY INSTRUMENTS

1983 No. 74

EDUCATION, ENGLAND AND WALES

The Education (Grant) Regulations 1983

Made - - - - 24th January 1983
Laid before Parliament 4th February 1983
Coming into Operation 1st April 1983

In exercise of the powers conferred by section 100(1) and (3) of the Education Act 1944(a) and section 4 of the Education Act 1967(b) and vested in them(c), the Secretary of State for Education and Science, as respects England, and the Secretary of State for Wales, as respects Wales, hereby make the following Regulations:—

PART I

GENERAL

Citation and operation

1. These Regulations may be cited as the Education (Grant) Regulations 1983 and shall come into operation on 1st April 1983.

Revocation and amendments

2.—(1) The Regulations specified in Schedule 1 are hereby revoked to the extent specified in that Schedule:

Provided that nothing in this Regulation shall affect any undertaking relating to the repayment of grant given in pursuance of any of the Regulations so revoked.

(2) Paragraph (2) of Regulation 10 of the Direct Grant Schools Regulations 1959(d) (materials and apparatus involving health hazards) is hereby revoked and after the said Regulation 10 there shall be inserted the Regulation set out in Schedule 2.

Relevant expenditure

3.—(1) These Regulations shall apply in relation to the payment of grants

(a) 1944 c. 31, extended by paragraph 3 of Schedule 2 to the Sex Discrimination Act 1975 (c. 65).

(b) 1967 c. 3.

(c) S.I. 1964/490, 1970/1536, 1978/274.

(d) S.I. 1959/1832; the relevant amending instrument is S.I. 1965/1.

and the making of loans to persons other than local education authorities in respect of expenditure incurred or to be incurred by them (as hereinafter provided) where, in the case of those persons and that expenditure, such payment under any provision of these Regulations is for the time being approved by the Secretary of State.

(2) In any provision of these Regulations a reference to relevant expenditure is a reference to expenditure in relation to which such an approval for the time being has effect, except where the context otherwise requires, for the purposes of that provision.

(3) In these Regulations any reference to expenditure on maintenance includes running expenditure and any reference to maintenance grant shall be construed accordingly.

Rate of grant

4. Save as mentioned in Regulation 14, any grant under these Regulations may be of an amount constituting reimbursement of the relevant expenditure to which it relates or of a lesser amount determined by the Secretary of State.

Construction

5. Except where the context otherwise requires, any reference in these Regulations to a Regulation, Schedule or Part is a reference to a Regulation contained therein, to a Schedule thereto or to a Part thereof and any reference in a Regulation to a paragraph is a reference to a paragraph of that Regulation.

PART II

GRANTS IN RESPECT OF SPECIAL SCHOOLS

Scope of Part II

6. The Secretary of State may pay capital or maintenance grants to persons other than local education authorities by whom special schools are maintained or proposed to be maintained in respect of such relevant expenditure incurred by them as is mentioned in Regulation 7 or 8.

Capital grant

7. Capital grant shall be payable in respect of relevant expenditure on or in connection with—

- (a) the acquisition of any interest in land or buildings;
- (b) the provision or alteration of buildings, or
- (c) the provision of furniture or equipment other than such provision in the course of periodic maintenance,

for the purposes of a special school.

Maintenance grant

8. Maintenance grant shall be payable in respect of relevant expenditure on the maintenance of a special school.

Conditions as to payment of capital grant

9.—(1) This Regulation shall apply in relation to capital grant under this Part.

(2) If the Secretary of State so directs, the making of payments by way of such grant shall be conditional either—

- (a) on the principal purpose of the school continuing to be the provision of facilities for such categories of pupils as are specified in his direction as the categories of pupils for whom facilities are provided at the date thereof, or
- (b) on that purpose having become by a date specified in or determined in accordance with his direction, and continuing thereafter to be, the provision of facilities for such categories of pupils as are specified in his direction.

(3) If the Secretary of State so directs, the making of payments by way of such grant shall, on and after a date specified in or determined in accordance with his direction, be conditional on the special school in question being combined with some other school for the more efficient provision of facilities for pupils with special educational needs.

(4) In this Regulation any reference to categories of pupils is a reference to such categories by reference to—

- (a) the age and sex of the pupils, and
- (b) the type of disability or other learning difficulty from which they suffer.

PART III**GRANTS AND LOANS IN RESPECT OF FURTHER EDUCATION ESTABLISHMENTS***Further education establishments to which Part III applies*

10. In this Part any reference to a further education establishment includes (subject as hereinafter provided) a reference to an establishment for the further education and training of disabled persons and the Cambridge Institute of Education but does not include a reference to—

- (a) any establishment conducted for profit;
- (b) any establishment provided by a local education authority;
- (c) any establishment to which grants in aid of university education are paid out of moneys provided by Parliament, or
- (d) any college, school or hall of a university other than Goldsmiths' College.

Scope of Part III

11. The Secretary of State may—

- (a) pay capital grant to the governing bodies of further education establishments in respect of such relevant expenditure incurred by them as is mentioned in Regulation 12;
- (b) pay maintenance grant to such governing bodies in respect of such relevant expenditure incurred or to be incurred by them as is mentioned in Regulation 13;
- (c) make loans to the governing bodies of certain denominational establishments for the training of teachers subject to and in accordance with Regulation 15.

Capital grant

12. Capital grant shall be payable in respect of relevant expenditure on or in connection with—

- (a) the acquisition of any interest in land or buildings;
- (b) the provision or alteration of buildings, or
- (c) the provision of furniture or equipment other than such provision in the course of periodic maintenance,

for the purposes of a further education establishment.

Maintenance grant

13. Maintenance grant shall be payable—

- (a) in the case of any further education establishment (including one mentioned in Schedule 3), in respect of relevant expenditure on the maintenance thereof, and
- (b) in the case of an establishment mentioned in Schedule 3, in respect of relevant expenditure by way of payments on account of scholarships (however described) tenable thereat.

Certain denominational establishments—restriction on capital grant

14.—(1) Subject to paragraph (2), this Regulation shall apply in relation to capital grant payable to the governing body of a further education establishment under this Part if it appears to the Secretary of State that either—

- (a) a majority of the governing body have been appointed to represent the interests of a particular religious denomination, or
- (b) the grant is in respect of expenditure which relates to property held upon trusts which provide that, in the event of the discontinuance of the establishment, it may be held for, or sold and the proceeds of sale applied for, the benefit of a particular religious denomination.

(2) This Regulation shall not apply in relation to capital grant either—

- (a) payable in respect of expenditure on or in connection with the provision of furniture or equipment otherwise than for a newly provided or altered building, or

(b) payable to the governing body of an establishment for the further education and training of disabled persons.

(3) Capital grant in relation to which this Regulation applies shall not exceed 85% of the relevant expenditure.

Certain denominational establishments—loans

15.—(1) This Regulation shall apply in the case of a further education establishment which is a college for the training of teachers where—

(a) any capital grant is paid in respect of the college, and

(b) Regulation 14 applies in relation to that grant.

(2) Where this Regulation applies the Secretary of State may make a loan to the governing body of the establishment of an amount not exceeding 15% of the relevant expenditure to which the capital grant relates.

Conditions as to payment of grant or loans

16.—(1) Subject to paragraph (6), this Regulation shall apply in relation to any grant or loan under this Part.

(2) The making of payments by way of such grant or loan shall be conditional on such requirements as may be specified by the Secretary of State being satisfied in the case of the further education establishment in question, being—

(a) requirements relating to the courses provided or to fees and other charges (including charges for residential accommodation, with or without board),

(b) requirements relating to the remuneration of teachers, or

(c) if the establishment is not one to which regulations(a) for the time being in force under section 27 of the Education Act 1980(b) apply, requirements corresponding to those contained in such regulations.

(3) Subject to paragraph (4), the making of such payments shall be conditional—

(a) on no student being refused admission, or invited to withdraw his application for admission on the ground of his belonging or not belonging to a particular religious denomination or of his religious faith or lack thereof, or

(b) on no student being required, or required to undertake, to attend or not to attend a place of religious observance or instruction in the establishment or elsewhere, or being required to take an examination in religious knowledge, whether as a condition of admission or of remaining a student at the establishment or otherwise.

(4) Where Regulation 14 would apply in relation to any capital grant

(a) The Regulations currently in force are the Education (Schools and Further Education) Regulations 1981 (S.I. 1981/1086) and the Education (Teachers) Regulations 1982 (S.I. 1982/106).
(b) 1980 c. 20.

payable in respect of an establishment then—

- (a) notwithstanding anything in paragraph (3)(a), up to a half of the places at that establishment may be reserved for students of the relevant religious denomination, and
- (b) paragraph (3)(b) shall not apply in the case of a student of the relevant religious denomination.

(5) The making of payments by way of grant under this Part shall be conditional on no change being made in the arrangements set out in any instrument (including a trust deed and a charter) relating to—

- (a) the constitution of the governing body of the further education establishment concerned, or
- (b) the conduct of that establishment,

unless the Secretary of State has been given at least two months written notice of the proposal to make the change and, if within a month of receiving such notice the Secretary of State so requires, it shall be a condition that the proposal be withdrawn or the change be postponed or modified as he may then or subsequently require.

(6) The preceding provisions of this Regulation shall not apply in relation to any grant in respect of an establishment mentioned in Schedule 4 but the making of payments by way of such grant shall be conditional on such requirements as may be specified by the Secretary of State being satisfied in the case of the establishment in question.

PART IV

OTHER GRANTS

Research and certain educational services

17.—(1) The Secretary of State may pay grants to persons other than local education authorities in respect of relevant expenditure incurred or to be incurred by them for the purposes of—

- (a) the development of educational methods either by way of educational research or the provision for that purpose of educational services;
- (b) other educational research, or
- (c) the provision of educational services of an advisory or organising character.

(2) In relation to such persons as are mentioned in paragraph (1) any reference therein to the provision of educational services is a reference to such provision by them, on their behalf or under their management.

Courses of liberal adult education

18.—(1) The Secretary of State may pay grants to any such body as is mentioned in paragraph (2) in respect of relevant expenditure incurred or to be incurred by them, subject to paragraph (4), in providing tuition for the purposes of any course of liberal adult education included in a programme approved by the Secretary of State for the purposes hereof.

- (2) The bodies referred to in paragraph (1) are—
- (a) any body responsible for meeting expenses in respect of a university or university college;
 - (b) any national association having as its principal object, or one of those objects, the promotion of liberal education for adults;
 - (c) any district committee of such a national association.

(3) In the case of a district committee of the Workers' Educational Association, the power to pay grants under this Regulation shall extend to relevant expenditure incurred or to be incurred by them in connection with any such course as is referred to in paragraph (1).

(4) Grant shall not be payable under this Regulation in respect of the remuneration of a person holding a post as a full-time lecturer, tutor or organiser (including a tutor organiser) unless the post is for the time being approved by the Secretary of State for the purposes of the relevant programme referred to in paragraph (1).

Other educational services provided by certain national associations

19. The Secretary of State may pay grants to any such national association as is mentioned in Regulation 18(2)(b) in respect of relevant expenditure incurred or to be incurred by them in providing educational services other than expenditure in providing, or in connection with the provision of, a course of liberal adult education which is included in a programme approved by the Secretary of State for the purposes of Regulation 18.

Facilities for further education etc.

20.—(1) The Secretary of State may pay to any persons other than local education authorities—

- (a) capital grant in respect of such expenditure as is mentioned in paragraph (2) which is incurred by them on or in connection with—
 - (i) the acquisition of any interest in land or buildings,
 - (ii) the provision or alteration of buildings, or
 - (iii) the provision of furniture or equipment other than such provision in the course of periodic maintenance;
- (b) maintenance grant in respect of such expenditure as is so mentioned, incurred or to be incurred by them otherwise than as aforesaid.

(2) The expenditure referred to in paragraph (1) is relevant expenditure in providing, or in connection with the provision of any of the following facilities, that is to say, facilities provided otherwise than for profit, whether as part of wider activities or not, which constitute—

- (a) facilities for such further education as is mentioned in section 41(b) of the Education Act 1944, or
- (b) facilities for recreation and social and physical training for persons receiving primary, secondary or further education, being facilities provided in co-operation with a local education authority in pursuance of section 53 of that Act.

(3) In the case of the trustees or other persons responsible for the management of a village hall or community centre used, or proposed to be used, in whole or in part, for the purposes of such educational facilities as are mentioned in paragraph (2), the power to pay capital grant under paragraph (1)(a) shall extend to relevant capital expenditure incurred by them on or in connection with the provision of the hall or centre.

Training of youth leaders and community centre wardens

21. The Secretary of State may pay grants to any body responsible for meeting expenses in respect of a university or university college and to any national youth organisation in respect of relevant expenditure incurred or to be incurred by them in providing courses for the training of youth leaders and community centre wardens.

Courses in trade union studies

22.—(1) The Secretary of State may pay grants to—

- (a) the Trades Union Congress;
- (b) any independent trade union,

in respect of relevant expenditure incurred by them in the provision of courses in trade union studies and courses for the training of teachers in such studies.

(2) In paragraph (1)(b) the expression “independent trade union” has the meaning assigned to it by section 153(1) of the Employment Protection (Consolidation) Act 1978(a).

Conditions as to payment of grant

23. The making of payments by way of grant under this Part shall be conditional on such requirements as may be specified by the Secretary of State being satisfied in the case in question.

PART V

GENERAL CONDITIONS OF PAYMENT, REQUIREMENTS AND SUPPLEMENTARY PROVISIONS

General conditions of payment

24.—(1) The making of payments by way of grant or loan under these Regulations shall be conditional on the requirements specified in this Regulation being satisfied in the case in question.

(2) Without prejudice to the provisions of section 77 of the Education Act 1944, it shall be a condition that there shall be open to inspection by a person being either one of Her Majesty’s Inspectors appointed under that section or a person authorised for the purposes hereof by the Secretary of State—

- (a) any school which is grant-aided under Part II;

(a) 1978 c. 44.

- (b) any further education establishment which is grant-aided under Part III, other than an establishment mentioned in Schedule 4;
- (c) any premises or other thing used for the purposes of any educational service or educational research which is grant-aided under Part IV;

and that any such person carrying out such an inspection is afforded all the facilities he requires for informing himself as to the service, research, school or establishment and the manner in which it is provided or conducted so, however, that this paragraph shall only apply in relation to premises used for the purposes mentioned in Regulation 18(1) while in actual use for those purposes.

(3) It shall be a condition that such records and accounts shall be kept, and such information, returns and accounts (including periodic returns and accounts) shall be furnished, as the Secretary of State may from time to time require, and that the said records and accounts are open to inspection by the Comptroller and Auditor General.

(4) It shall be a condition that the Secretary of State is satisfied as to the efficiency with which—

- (a) any such school or further education establishment as is referred to in paragraph (2)(a) or (b) is provided, or
- (b) any such educational service or research as is mentioned in paragraph (2)(c) is conducted.

Grant in respect of capital expenditure—repayment etc. conditions

25.—(1) The requirements of this Regulation shall apply where capital grant has been paid under Part II or III or under Regulation 20; and, in this Regulation—

- (a) any reference to an institution is a reference to any school or establishment of further education in the case of which capital grant has been paid under Part II or III, and
- (b) any reference to property is a reference to any interest, building, furniture or equipment in respect of which capital grant has been paid either as aforesaid or under Regulation 20.

(2) In the event of—

- (a) the institution in question being discontinued or, in the case of a special school, its approval as such for the purposes of section 9(5) of the Education Act 1944 being withdrawn (where the grant was paid under Part II or III), or
- (b) the property not being used either—
 - (i) for the purposes for which it was intended to be used at the time the capital grant was paid, or
 - (ii) for the purposes of any educational service or educational research which is grant-aided under these Regulations
 (whether the grant was paid as aforesaid or under Regulation 20),

then, on application made in that behalf by the Secretary of State, the capital grant or that part thereof as may be specified in his application, shall be repaid to him by the recipients thereof.

(3) If the property or part thereof is sold (whether in the circumstances mentioned in paragraph (2) or otherwise) then, on application made in that behalf by the Secretary of State but subject to paragraphs (4), (5) and (6), the recipients of the grant shall pay him a sum equal to the net proceeds of sale or that part thereof as may be specified in his application:

Provided that where the District Valuer has determined the value of the property or the part thereof sold then, if the sum determined by him to be that value is greater than the sale price, the net proceeds of sale shall be deemed for the purposes of this Regulation to be what they would have been had the sale price equalled that sum.

(4) Where subsequent to the acquisition or provision of the property its value was enhanced by expenditure in respect of which capital grant was not paid (not being expenditure by way of periodic maintenance), so much of the proceeds of sale as appears to the Secretary of State to represent such enhancement shall be disregarded for the purposes of paragraph (3).

(5) Where the capital grant constituted an amount equal to only a proportion of the expenditure to which it related, only the corresponding proportion of the proceeds of sale shall be taken into account for the purposes of paragraph (3).

(6) Where capital grant in respect of any property has been repaid in whole or in part in pursuance of paragraph (2) and the property or part thereof is sold any amount which would otherwise fall to be paid in pursuance of paragraph (3) shall be reduced by the amount of the repayment or the proportionate part thereof (reckoned according to the value of the respective parts of the property).

Grant in respect of expenditure to be incurred—repayment requirements

26.—(1) The requirements of this Regulation shall apply where grant under Part III or IV has been paid in respect of relevant expenditure to be incurred.

(2) If the expenditure in question is not incurred or only a part thereof is incurred then, on application made in that behalf by the Secretary of State, the grant paid or the proportionate part thereof shall be repaid to him by the recipients thereof.

Repayments etc. under Regulations 25 and 26—interest requirements

27. Where any repayment or payment falls to be made in pursuance of Regulation 25 or 26 and it is not made by a date specified by the Secretary of State in his application therefor (not being earlier than a month after the date of that application) interest thereon shall be payable at a rate so specified so, however, that the Secretary of State, having regard to the circumstances of the case, may waive any sum due by way of such interest in whole or in part.

Recurring grants payable in respect of financial years

28.—(1) This Regulation shall apply in relation to any grants under these Regulations in respect of recurring expenditure.

(2) Such grants shall be paid in respect of each financial year.

Payment of grant

29. Payments by way of grant under these Regulations shall be made at such times and in such instalments as the Secretary of State thinks appropriate.

Matters to be taken into account by the Secretary of State

30.—(1) The Secretary of State, when determining in a particular case—

- (a) whether or not to exercise his power to pay grant or make a loan under any provision of these Regulations, or
- (b) the amount of such grant or loan,

shall have regard to the matters mentioned in paragraph (2) without prejudice, however, to his having regard, in the exercise of his general discretion, to any other matters which appear to him relevant.

(2) The matters referred to in paragraph (1) are—

- (a) the character and cost of the educational services, research, school or further education establishment concerned;
- (b) the financial resources, or likely resources, of the persons responsible therefor, including, where appropriate, their income, or likely income, by way of fees or otherwise;
- (c) the grants or like payments to which those persons are entitled or which they are likely to receive otherwise than under the provision in question being grants or payments by a Minister of the Crown (under these Regulations or otherwise), by a local authority or out of the funds of any of the European Communities;
- (d) in the case only of a school or further education establishment, the arrangements for its government and conduct (including the distribution of functions between different bodies and persons).

Transitional exemption orders for the purposes of the Sex Discrimination Act 1975

31.—(1) This Regulation shall apply in the case of a further education establishment in respect of which grants are payable under these Regulations which is—

- (a) a single-sex establishment within the meaning of section 26(1) of the Sex Discrimination Act 1975(a), and
- (b) is designated under section 24(1) of that Act.

(2) On the application of the responsible body (within the meaning of section 27 of the said Act of 1975) of such an establishment the Secretary of State may make a transitional exemption order authorising discriminatory admissions thereto during a period specified in the order.

(3) An application for such an order shall specify—

- (a) the transitional period during which the applicants propose that

(a) 1975 c. 65.

discriminatory admissions should be authorised by the order;

- (b) the stages by which the applicants propose that the establishment should move to a position where section 26 of the said Act of 1975 ceases to apply to it, and
- (c) any other matters relevant to the terms and operation of the order applied for.

SCHEDULE 1

Regulation 2(1)

REGULATIONS REVOKED

Regulations revoked	References	Extent of revocation
The Educational Services and Research Grant Regulations 1946	S.R. & O. 1946/424	The whole Regulations
The Special Schools and Establishments (Grant) Regulations 1959	S.I. 1959/366	„ „ „
The Special Schools and Establishments (Grant) (Amendment) Regulations 1964	S.I. 1964/1083	„ „ „
The Special Schools and Establishments (Grant) (Amendment) Regulations 1969	S.I. 1969/410	„ „ „
The Further Education Regulations 1975	S.I. 1975/1054	The whole Regulations so far as unrepealed except so far as made under section 2(4) of the Rent Act 1968 (c. 23)
The Further Education (Transitional Exemption Orders) Regulations 1975	S.I. 1975/1929	The whole Regulations so far as unrepealed
The Further Education (Amendment) Regulations 1976	S.I. 1976/1191	„ „ „
The Non-maintained Special Schools (Fees) Regulations 1977	S.I. 1977/278	The whole Regulations except so far as made under section 33 of the Education Act 1944
The Further Education (Amendment) Regulations 1977	S.I. 1977/887	The whole Regulations

SCHEDULE 2

Regulation 2(2)

REGULATION INSERTED IN THE DIRECT GRANT SCHOOLS REGULATIONS 1959

Substances and apparatus involving health hazards

10A.—(1) This regulation shall apply in relation to the use of—

- (a) any radioactive substance which has an activity in excess of 0.002 of a microcurie per gram, or
- (b) any apparatus in which electrons are accelerated by a potential difference of at least 5 kilovolts other than—
 - (i) a television receiving set, or
 - (ii) an apparatus designed primarily to produce visual images derived from video recordings, closed circuit television equipment or the output of a computer.

(2) No such substance or apparatus shall be used for the purposes of instruction at the school unless that use is for the time being approved by the Secretary of State; and an approval given for the purposes hereof shall be withdrawn if at any time the Secretary of State is of the opinion that the arrangements made for the health and safety of the pupils and staff at the school are inadequate.

(3) An approval for the purposes of this regulation may apply generally (subject to such exceptions, if any, as are specified therein) in the case of schools in respect of which grant is paid under regulation 4 or only in the case of a particular school.

Regulation 13

SCHEDULE 3

ESTABLISHMENTS REFERRED TO IN REGULATION 13

The establishments referred to in Regulation 13 are the following establishments, namely—

Coleg Harlech, Wales;
Co-operative College, Loughborough;
Fircroft College, Birmingham;
Hillcroft College, Surbiton;
Northern College, Barnsley;
Plater College, Oxford;
Royal College of Art;
Ruskin College, Oxford.

Regulations 16(6) and 24(2) SCHEDULE 4

ESTABLISHMENTS TO WHICH REGULATIONS 16 AND 24(2) DO NOT APPLY

The establishments referred to in Regulations 16(6) and 24(2)(b) are the following establishments, namely—

Cranfield Institute of Technology;
Royal Academy of Music;
Royal College of Art;
Royal College of Music.

24th January 1983.

Keith Joseph,
Secretary of State for
Education and Science.

24th January 1983.

Nicholas Edwards,
Secretary of State for Wales.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations, first, consolidate, with amendments, three sets of provisions relating to the payment to persons other than local education authorities of grants (and in the case of certain denominational further education establishments, of loans) in respect of expenditure for the purposes of the provision of educational services or for the purposes of educational research, namely, the provisions of the Educational Services and Research Grant Regulations 1946, of the Special Schools and Establishments (Grant) Regulations 1959 and of the Further Education Regulations 1975, in each case as subsequently amended. Part II is derived from the Regulations of 1959 (so far as they relate to special schools), Part III is derived from those Regulations and the Regulations of 1975 (so far as they relate to further education establishments) and Part IV is derived from the Regulations of 1946 and (except in so far as they relate to further education establishments) the Regulations of 1975. Part V contains common provisions supplemental to the three preceding Parts. Changes of substance are mentioned below. Secondly, Regulation 2(2) of the present Regulations amends the provisions of the Direct Grant Schools Regulations 1959 relating to the use of materials and apparatus involving health hazards so as to bring them into conformity with those of Regulation 6 of the Education (Schools and Further Education) Regulations 1981. Thirdly, Regulation 31 makes provision, in the case of grant-aided further education establishments, as respects transitional exemption orders for the purposes of the Sex Discrimination Act 1975 (corresponding provision was made by Regulation 6A, as applied by Regulation 21, of the Regulations of 1975).

Differently derived provisions relating to grants in respect of capital expenditure are reconciled and account is taken of the established practice of only paying such grants in respect of expenditure incurred as opposed to expenditure proposed to be incurred (*Regulations 6, 7, 11, 12, 20(1)(a) and 25*). The provisions relating to the repayment of capital grants and the circumstances in which this is required are more detailed (*Regulation 25*).

Maintenance grant payable in the case of certain further education establishments may be paid in respect of expenditure arising from the award of scholarships (*Regulation 13(b)*).

The provisions relating to conditions of payment and of matters to be taken into account by the Secretary of State are reconciled and generalised (*Regulations 24 and 30*).

It is expressly required that grant paid in respect of expenditure proposed to be incurred shall be repaid if the expenditure in question is not in fact incurred (*Regulation 26*).

Provision is made for the payment of interest where there is delay in making any repayment which is required (*Regulation 27*).

It is expressly provided that recurring grants shall be paid in respect of financial years (*Regulation 28*) and that any grant payments shall be made at such times, and in such instalments, as the Secretary of State thinks appropriate (*Regulation 29*).

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