

1989 No. 165

EDUCATION, ENGLAND AND WALES

The Education (Grants) (Grant-Maintained Schools Limited) Regulations 1989

Made - - - - - *8th February 1989*

Laid before Parliament *10th February 1989*

Coming into force *6th March 1989*

In exercise of the powers conferred by section 100(1)(b) and (3) of the Education Act 1944(a) and vested in the Secretary of State(b), the Secretary of State for Education and Science hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Education (Grants) (Grant-Maintained Schools Limited) Regulations 1989 and shall come into force on 6th March 1989.

(2) In these Regulations “the Trust” means the company named Grant-Maintained Schools Limited, also known as the Grant-Maintained Schools Trust.

Payments of grant

2.—(1) The Secretary of State may pay grants of such amounts as he may determine to the Trust in respect of expenditure incurred or to be incurred by it for the purposes of, or in connection with, the provision (or proposed provision) of educational services in grant-maintained schools (or proposed grant-maintained schools), which expenditure is for the time being approved by the Secretary of State.

(2) Payments of grant under these Regulations shall be made at such times and in such instalments as the Secretary of State thinks appropriate.

Conditions of payment

3. The making of payments of grant under these Regulations shall be dependent on the fulfilment of such conditions as may be specified by the Secretary of State.

Requirements to be observed

4. Where grant is paid under these Regulations the Trust shall comply with such requirements (including requirements as to the repayment of grant or the payment to the Secretary of State of other sums representing the value of property acquired with the aid of grant or interest on sums due to him) as may be specified by the Secretary of State.

(a) 1944 c.31, as amended by section 213(3) of the Education Reform Act 1988 (c.40)
(b) S.I. 1964/490, 1970/1536, 1978/274.

5. Without prejudice to the generality of regulation 4, the Trust shall—
- (a) keep such records and accounts and furnish to the Secretary of State such information, documents, returns and accounts as the Secretary of State may from time to time require;
 - (b) open to the inspection of the Comptroller and Auditor General the records and accounts kept pursuant to the requirement imposed under paragraph (a) above;
 - (c) where grant has been paid in respect of expenditure to be incurred and the expenditure or part of it is not incurred, repay on application made in that behalf by the Secretary of State the grant paid or the proportionate part thereof.

8th February 1989

Kenneth Baker
Secretary of State for Education and Science

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations authorise the Secretary of State to pay grants to the company named Grant-Maintained Schools Limited (also known as the Grant-Maintained Schools Trust) to meet or help to meet expenditure incurred or to be incurred by it for the purposes of, or in connection with, the provision or proposed provision of educational services in grant-maintained schools. Grants are payable in respect of expenditure which is approved by the Secretary of State. The Secretary of State may determine the amounts and timing of payments (regulations 1 and 2).

The Secretary of State may specify conditions to be satisfied before grant is payable (regulation 3).

The Secretary of State may also specify requirements to be complied with by the Trust. These may include requirements to repay grant or to pay to the Secretary of State sums representing the value of property acquired with grant and to pay interest on overdue sums (regulation 4).

The Regulations require the Trust to keep such records and accounts and to furnish such information, documents, returns and accounts to the Secretary of State as he may require, to open its records and accounts to inspection by the Comptroller and Auditor General and to repay on application by the Secretary of State all or part of grant paid in respect of expenditure to be incurred where the expenditure is not, or not wholly, incurred (regulation 5).

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