
STATUTORY INSTRUMENTS

1992 No. 3237

EDUCATION, ENGLAND AND WALES

The Education (Grants) (Higher Education Corporations) Regulations 1992

Made - - - - - *17th December 1992*
Laid before Parliament *18th December 1992*
Coming into force - - - *8th January 1993*

In exercise of the powers conferred by section 100(1)(b) and (3) of the Education Act 1944⁽¹⁾ and vested in the Secretary of State⁽²⁾ the Secretary of State for Education hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Education (Grants) (Higher Education Corporations) Regulations 1992 and shall come into force on 8th January 1993.

(2) In these Regulations—

- (a) “approved expenditure” means expenditure which is approved by the Secretary of State for the purposes of the payment of grant; and
- (b) “grant” means a grant in pursuance of these Regulations.

Payment of grant

2.—(1) Subject to paragraph (2) below the Secretary of State may pay grants of such amounts as he may determine to a higher education corporation established under section 122 of the Education Reform Act 1988⁽³⁾ in respect of approved expenditure incurred or to be incurred by the corporation for the purposes of, or in connection with, the proposed provision of educational services by the institution to be conducted by the corporation from the transfer date applicable in relation to the corporation (as defined in section 123 of the Education Reform Act 1988).

(2) No grants shall be payable pursuant to paragraph (1) above in respect of expenditure incurred or to be incurred on or after the transfer date.

(1) 1944 c. 31; section 100(1)(b) was amended by section 213(3) of the Education Reform Act 1988 (c. 40).

(2) For the transfer of functions to the Secretary of State see S.I.1964/490, 1970/1536, 1978/274.

(3) 1988 c. 40; section 122 was amended by paragraph 31 of Schedule 8 to the Further and Higher Education Act 1992 (c. 13).

3. Payments of grant shall be made at such times and in such instalments as the Secretary of State thinks appropriate.

Conditions of payment

4. The making of payments of grant shall be dependent on the fulfilment of such conditions as may be specified by the Secretary of State in the case in question.

Requirements to be observed

5. A higher education corporation to which payments of grant are made shall comply with such requirements (including requirements as to the repayment of grant or the payment to the Secretary of State of other sums related to the value of land or other property acquired, altered or maintained with the aid of grant or interest on sums due to him) as may be specified by the Secretary of State in the case in question.

6.—(1) Without prejudice to the generality of regulation 5, a corporation to which payments of grant are made shall—

- (a) where a 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; and
- (b) where grant has been paid in respect of capital expenditure incurred or to be incurred, obtain the written consent of the Secretary of State before disposing of any, or any part of any, land or other property in respect of which grant was paid, and where any such property is disposed of, shall pay to the Secretary of State on application made by him such sum as appears to him to represent the value of the property at the date of its disposal or such lesser sum as may be specified in his application.

(2) In this regulation, the reference to land includes a reference to any interest in land.

17th December 1992

John Patten
Secretary of State for Education

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations authorise the Secretary of State to pay grants to a higher education corporation in respect of approved expenditure incurred or to be incurred by it during the period between its establishment and its assuming responsibility for the conduct of the institution it was established to conduct.