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STATUTORY INSTRUMENTS

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**1996 No.3066**

**EDUCATION, ENGLAND AND WALES**

**The Education (Grants for Education Support and Training) (England) (Amendment) Regulations 1996**

<i>Made</i>	- - - -	<i>1996</i>
<i>Laid before Parliament</i>		<i>1996</i>
<i>Coming into force</i>	- -	<i>1st January 1997</i>

In exercise of the powers conferred on the Secretary of State by sections 484 and 569(4) and (5) of the Education Act 1996<sup>(1)</sup>, the Secretary of State for Education and Employment hereby makes the following Regulations:—

1. These Regulations may be cited as the Education (Grants for Education Support and Training) (England) (Amendment) Regulations 1996 and shall come into force on 1st January 1997.

2. The Education (Grants for Education Support and Training) (England) Regulations 1996<sup>(2)</sup> shall be amended as follows.

3. In regulation 2 for the definition of “prescribed expenditure” there shall be substituted the following definition

““prescribed expenditure” means—

- (a) expenditure by an education authority for or in connection with any of the purposes specified paragraphs 1—14, or 15 to 17 of the Schedule to these Regulations or
- (b) expenditure by an education authority which satisfies the conditions specified in regulation 2A below for or in connection with the purpose specified in paragraph 14A of that Schedule.”

4. After regulation 2 there shall be inserted the following regulation—

“2A.—(1) The conditions referred to in the definition of “prescribed expenditure” in regulation 2 above are that—

- (a) on 1st April 1996 the education authority had a credit ceiling, as determined under Part III of Schedule 3 to the 1989 Act which was nil or a negative amount; and
- (b) on 1st January 1997 the education authority have no money outstanding by way of borrowing other than—

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(1) 1996 c. 56.  
(2) S.I.1996/734.

- (i) short-term borrowing (within the meaning of section 45(6) of the 1989 Act);  
or
  - (ii) borrowing undertaken before 24th August 1995, other than borrowing by the issue of stock on or after 15th December 1993, from a person who is not a relevant lender.
- (2) In this regulation
  - (2) In this regulation
    - (a) “the 1989 Act” means the Local Government and Housing Act 1989(3); and
    - (b) “relevant lender” has the same meaning as in the Local Authorities (Capital Finance) (Approved Investments) Regulations 1990(4).”
5. In regulation 5(2) after the number “14” there shall be inserted “14A”.
6. In regulation 6(3) the number “(5)” shall be omitted.
7. In the Schedule—
- (a) after paragraph 14 there shall be inserted the following paragraph—

“**14A** The improvement or alteration of the premises of a technology or language college, other than a significant enlargement of such premises which has been approved by the Secretary of State under section 37 or 43 of the Education Act 1996 or which the education authority has determined should be implemented under section 38 of that Act.”; and
  - (b) after paragraph 16 there shall be inserted the following paragraph—

“**17.** The development of simplified and standardised tendering and negotiation procedures for contracts for the construction, alteration, repair or management of school premises.”.

Department for Education and Employment  
5th December 1996

*Robin Squire*  
Parliamentary Under Secretary of State,

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(3) 1989 c. 42.

(4) S.I. 1990/426; the definition of “relevant lender” was inserted by regulation 12 of S.I. 1985/1982.

## **EXPLANATORY NOTE**

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

These Regulations amend the Education (Grants for Education Support and Training) (England) Regulations 1996. Apart from a drafting amendment the Regulations add two new purposes for or in connection with which grants are payable; the new purposes relate to the improvement or alteration of the premises of technology and language colleges where the local education authority satisfies certain conditions (broadly speaking that it is “debt free”) and to tendering and negotiation procedures for contracts concerning school premises.