
STATUTORY INSTRUMENTS

1998 No. 1759

Education (Northern Ireland) Order 1998

PART VII

FINANCING OF SCHOOLS

CHAPTER III

MISCELLANEOUS FINANCIAL PROVISIONS RELATING TO SCHOOLS

Charges for educational facilities and services

- 72.**—(1) Notwithstanding anything in the instrument of government of the school—
- (a) the Board of Governors of a controlled school which has a delegated budget;
 - (b) the managers of a voluntary school; and
 - (c) the Board of Governors of a grant-maintained integrated school, may make available educational facilities or services to any other school, institution, body or person and, subject to paragraphs (3) and (4), may make charges for any facilities or services made available under this paragraph.
- (2) A board may make available educational facilities or services in a controlled school which is under the management of the board and does not have a delegated budget, to any school, institution, body or person and, subject to paragraphs (3) and (4), may make charges for any facilities or services made available under this paragraph.
- (3) Charges under paragraphs (1) and (2)—
- (a) shall not be made in such circumstances or for such educational facilities or services as may be prescribed;
 - (b) shall not for any prescribed educational facility or service exceed such amount as may be prescribed, but shall otherwise be of such amounts and be made in respect of such educational facilities and services as the body making the charges may determine.
- (4) Nothing in paragraphs (1) to (3) applies to any charge which is prohibited or regulated by any provision of Chapter II of Part VIII of the 1989 Order.
- (5) The scheme of management for every controlled school shall provide—
- (a) for the use of the school premises (other than so much as, in pursuance of an approved contract, is under the control of the contractor) to be under the control of the Board of Governors of the school at all times; and
 - (b) for the Board of Governors to exercise control subject to any direction given to it by the board.
- (6) Paragraph (5)(a) does not apply, in the case of a controlled school which does not have a delegated budget, to the extent necessary for the exercise by the board of its powers under—
- (a) paragraph (2); or
 - (b) Article 32 of the Education and Libraries (Northern Ireland) Order 1993.

(7) In this Article—

“educational facilities” means the equipment, premises or other property of a school;

“educational services” includes services provided by teachers; and references to a school which has a delegated budget shall be construed in accordance with Article 52(4)(b).