

1973. No. 376

[C]

EDUCATION

Heating, Lighting, Cleaning and Maintenance

REGULATIONS, DATED 28TH SEPTEMBER 1973, MADE BY THE MINISTRY OF EDUCATION UNDER ARTICLES 10 AND 125 OF THE EDUCATION AND LIBRARIES (NORTHERN IRELAND) ORDER 1972.

The Ministry of Education (hereinafter referred to as "the Ministry") on behalf of the Secretary of State and in exercise of the powers conferred on it by Articles 10 and 125 of the Education and Libraries (Northern Ireland) Order 1972(a) and of every other power enabling it in that behalf hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Heating, Lighting, Cleaning and Maintenance Regulations (Northern Ireland) 1973.

(2) These Regulations shall come into operation on 1st October 1973.

(3) The Heating, Lighting, Cleaning and Internal Maintenance Regulations (Northern Ireland) 1962(b) and the External Maintenance Grants Regulations (Northern Ireland) 1965(c) are hereby revoked.

2. In these Regulations:—

"board" means the education and library board established under Article 3 of the Order for the area in which the school is situated or such other board as the Ministry may determine;

"contribution" means a contribution payable by a board in accordance with Article 10(2) of the Order;

"maintenance" means such works as are necessary to maintain the school premises in a satisfactory condition for the purpose of providing education for pupils at the school and includes the maintenance of paved spaces, grass areas, hedges, fences, playing fields (including pavilions and other buildings), fixtures, fittings, heating apparatus, desks, furniture and articles of like kind and appliances for instructional purposes but does not include any works of alteration, adaptation enlargement or improvement of the school premises;

"managers" means the person or body under whose control or management a school is placed;

"Order" means The Education and Libraries (Northern Ireland) Order 1972;

"school" means a voluntary primary, intermediate or special school other than a maintained school;

"school premises" in the case of a boarding school does not include so much of the school premises as is used wholly or mainly for boarding purposes.

3. Subject to and in accordance with these Regulations a board shall pay to the managers of a school contributions amounting to sixty-five per cent of

(a) S.I. 1972, No. 1263 (N.I. 12).

(c) S.R. & O. (N.I.) 1965, No. 160.

(b) S.R. & O. (N.I.) 1962, No. 108.

the approved nett expenditure on heating, lighting, cleaning and internal and external maintenance of the school premises.

4. The board may from time to time issue directions, either of a general character or for the purposes of any particular case in connection with any of the following matters relating to applications for, or payment of, contribution:—

- (a) the preparation of plans, specifications and estimates;
- (b) the invitation of offers or tenders for the execution of works;
- (c) the placing of contracts or orders for the execution of works;
- (d) the furnishing of information to the board;
- (e) such other matters as appear to the board necessary or desirable for the purposes of these Regulations.

5.—(1) The managers shall submit to the board estimates of their proposed expenditure on the heating, lighting, cleaning and maintenance of the school premises.

(2) The board shall approve such estimates unless in its opinion they or any item included in them are unreasonable.

(3) If the board considers that such estimates or any items included in them are unreasonable it shall after consultation with the managers approve them subject to such amendments as it may determine.

6. If the board is satisfied that owing to exceptional circumstances it is or was necessary for the managers to incur expenditure for which provision was not made in the estimates approved by the board under Regulation 3, it may approve such expenditure for the purpose of payment of a contribution, but save as provided in this Regulation a board shall make no contribution in respect of expenditure for which provision was not made in the estimates as approved by the board.

7.—(1) The board may require as a condition of payment of a contribution in respect of any work of maintenance estimated by the managers or by the board to cost more than £50 that its express approval to such work shall be obtained before the work is begun.

(2) The board shall not pay a contribution in respect of works of maintenance which costs in the aggregate more than £75 in any year unless the managers of the school certify in writing that it is their intention to carry on the school as a school for not less than two years from the date on which the work is completed.

(3) If within a period of two years from the payment of a contribution in respect of works of maintenance which cost more than £150 the school ceases to be carried on as a school the managers shall repay the whole or such part of the contribution as the board may determine.

8. The following expenditure shall be excluded from the expenditure in respect of which a contribution is payable:—

- (a) expenditure incurred by reason of the use of the school premises other than for the purposes of the Order or of the Recreation and Youth Service (Northern Ireland) Order 1973(d);