

1973. No. 375

[C]

## EDUCATION

**Voluntary Primary, Intermediate and Special Schools Building Grants**

REGULATIONS, DATED 28TH SEPTEMBER 1973, MADE BY THE MINISTRY OF EDUCATION WITH THE APPROVAL OF THE MINISTRY OF FINANCE UNDER ARTICLES 106 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 106 and 125 of the Education and Libraries (Northern Ireland) Order 1972(a) and of every other power enabling it in that behalf and with the approval of the Ministry of Finance hereby makes the following Regulations:—

*Citation and commencement*

1.—(1) These Regulations may be cited as the Voluntary Primary, Intermediate and Special Schools Building Grant Regulations (Northern Ireland) 1973.

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

(3) The Voluntary Primary, Intermediate and Special Schools Building Grant Regulations (Northern Ireland) 1964(b) are hereby revoked.

*Definitions*

2. In these Regulations—

"boarding accommodation" includes approved residential accommodation for teaching and domestic staff as well as residential accommodation for pupils;

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

"school" means a grant-aided primary, intermediate or special school not being a controlled school.

3.—(1) These Regulations shall apply to the payment of grants by the Ministry under Article 106 of the Order towards approved expenditure incurred on or in connection with the provision of a new school or the alteration of an existing school.

(2) Where approved expenditure has been incurred in connection with the proposed provision of a new school or the proposed alteration of an existing school and the project in connection with which such expenditure has been incurred is with the approval of the Ministry abandoned in favour of another project (hereinafter referred to as "the superseding project") approved for the purpose of grant under these Regulations, then the expenditure so incurred, or so much thereof as the Ministry may consider reasonable in the circumstances, may at the discretion of the Ministry be treated for the purposes of paragraph (1) of this Regulation as approved expenditure incurred in connection with the superseding project.

(a) S.I. 1972, No. 1263 (N.I. 12). (b) S.R. & O. (N.I.) 1964, No. 213; 1968, No. 75.

*Application for grants*

4.—(1) Save as provided in Regulation 10 applications for payment of grant shall be made by or on behalf of the trustees or other persons (in these Regulations called “the applicants”) in whom ownership of the school premises is, or is to be, vested and shall be in such form and contain such particulars and information as the Ministry may require.

(2) The applicants shall furnish, or cause to be furnished to the Ministry, such sketch plans, working drawings, specifications, estimates, tenders and other documents as the Ministry may require to be submitted for its approval or information.

*Restrictions on payment of grants*

5.—(1) A grant shall not be paid unless the applicants—

(a) provide or undertake to provide such additional sum as will when added to the grant be sufficient in the opinion of the Ministry to meet the total cost of the works proposed to be carried out; and

(b) satisfy the Ministry that the school premises are vested for ever or for an approved term of years and on such terms and conditions (including rent if any) as the Ministry may approve in trustees appointed with the approval of the Ministry for the purpose of maintaining and carrying on a school or for such other purposes of the Order or of the Recreation and Youth Service (Northern Ireland) Order 1973(c) as the Ministry may approve.

(2) Without prejudice to paragraph (1) a grant for the provision of a new school shall not be paid unless the applicants satisfy the Ministry—

(a) that the school is needed to ensure adequate and suitable provision for the education of the pupils expected to attend and that the site is suitable for the purposes of the school; and

(b) that they have in accordance with Article 12(1) of the Order consulted the board for the area in which the school is to be established.

(3) Where it is necessary for the purposes of payment of grant under these Regulations for a document to be prepared vesting the school in the applicants, the document will be prepared by the Ministry’s Solicitor free of charge save for stamp duty or other statutory fees or for any expenditure incurred in obtaining proof of title or any necessary consent.

*Conditions applicable where a grant has been paid*

6.—(1) The applicants shall insure and keep insured the premises (including all buildings or erections thereon and all fixtures, fittings and equipment therein) against loss or damage by fire or flood and against such other risks as the Ministry may from time to time in writing direct in some insurance office of repute for a sum equal to the replacement value thereof; they shall also insure adequately against loss, damage and any accident caused by or related to a boiler installed on the premises.

(2) The applicants shall from time to time upon request produce to the Ministry any policy of insurance for the time being in force and the receipt for the last premium due thereunder and shall whenever any loss or damage by fire, flood or otherwise shall happen to the school premises or to the buildings or erections thereon or the fixtures, fittings or equipment therein, or any part thereof, expend in rebuilding or reinstating the same all or so much of the money received under such insurance as aforesaid as the Ministry may require.

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(c) S.I. 1973, No. 961 (N.I. 12).