EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Education (Training Grants) Regulations 1987.

The higher rate of grant payable under the 1987 Regulations is reduced from 70 per cent. to 65 per cent. for expenditure incurred on and after 1st April 1990—regulation 3(3).

Regulations 4 and 5 of the 1987 Regulations are amended to provide for grants to be made to local education authorities towards expenditure incurred by them in the provision of bursaries to students participating, as part of their course for a Postgraduate Certificate in Education, in the Articled Teachers Scheme—regulations 4(3) and 5.

Provision is also made for grants to be made to local education authorities to facilitate the training or further training as teachers of persons (such as licensed teachers) who are not qualified teachers but who are employed as teachers in non-maintained special schools—regulations 3(1) and 4(1).

Regulation 10(4) of the 1987 Regulations is amended to extend to 1st October, or as soon as practicable thereafter, the date by which an auditor's certificate must be submitted to the Secretary of State—regulation 6.

Regulations 2(1) and 4 of the 1987 Regulations are amended to substitute the expression "institution of further education" (defined in an amendment to regulation 2(1)) for the expression "further education establishment", to reflect the revised terminology introduced by the Education Reform Act 1988; and to refer, in the definition of "qualified teacher", to regulations made under section 218 of that Act, which has replaced section 27 of the Education Act 1980—regulations 3(1), (2) and (4) and 4(2).

(4) for the definition of " qualified teacher " there shall be substituted the following definition—

" " qualified teacher " means a person who, by virtue of the regulations(a) relating to the employment of teachers for the time being in force under section 218 of the Education Reform Act 1988, is qualified to be employed as a teacher at a school of the kind described in subsection (12) of that section; ".

4. In regulation 4 of the principal Regulations—

(1) item (b) shall be amended by the insertion, after the word " maintenance ", of the words " of a special school not maintained by an authority or ";

(2) items (b) and (c) shall be amended by substituting for the words " a further education establishment " the words " an institution of further education ";

(3) there shall be inserted after item (b) the following item—

" (ba) the training as teachers of students studying for the Postgraduate Certificate in Education under arrangements made with an authority for their training in schools maintained by the authority and known as the " Articled Teachers Scheme "; ".

5. In regulation 5 of the principal Regulations there shall be inserted after item (a) the following item—

" (aa) discretionary awards under section 2 of the Education Act 1962(b) paid as bursaries to students participating in the Articled Teachers Scheme referred to in regulation 4(ba); ".

6. In regulation 10 of the principal Regulations there shall be substituted for paragraph (4) the following paragraph—

" (4) Each authority that has received or seeks to receive a payment of grant in respect of expenditure incurred during the year ending on 31st March shall—

(a) during the three months following that date or as soon as practicable thereafter submit to the Secretary of State a claim which shall specify the expenditure in respect of which grant has been or is being claimed which has been incurred by the authority during that year; and

(b) by the following 1st October or as soon as practicable thereafter secure the submission to the Secretary of State of a certificate, signed by the auditor appointed by the Audit Commission to audit the accounts of the authority or any auditor qualified for such appointment by virtue of section 13(5) and (6) of the Local Government Finance Act 1982(c), certifying that in his opinion the particulars stated in the claim submitted by the authority pursuant to this paragraph are fairly stated and that a grant at the rate claimed is properly payable pursuant to these Regulations."

John MacGregor
Secretary of State for Education and Science

12th February 1990

(a) The Regulations currently in force are the Education (Teachers) Regulations 1989 (S.I. 1989/1319).
(b) 1962 c.12; section 2, as amended, is set out in Schedule 5 to the Education Act 1980 (c.20).
(c) 1982 c.32.

STATUTORY INSTRUMENTS

1990 No. 221

EDUCATION, ENGLAND AND WALES

The Education (Training Grants) (Amendment) Regulations 1990

Made - - - -	*12th February 1990*
Laid before Parliament	*22nd February 1990*
Coming into force	*1st April 1990*

In exercise of the powers conferred by sections 50 and 63 of the Education (No. 2) Act 1986(a), the Secretary of State for Education and Science hereby makes the following Regulations:

1. These Regulations may be cited as the Education (Training Grants) (Amendment) Regulations 1990 and shall come into force on 1st April 1990.

2. In these Regulations a reference to the principal Regulations is a reference to the Education (Training Grants) Regulations 1987(b).

3. In regulation 2(1) of the principal Regulations—

(1) the definition of "expenditure incurred by an authority" shall be amended by the substitution for the words "maintenance of a further education establishment", of the words "maintenance of a special school not maintained by an authority or of an institution of further education";

(2) the definition of "further education establishment" shall be deleted and there shall be inserted after the definition of "higher rate" the following definition—

""institution of further education", means an institution providing further education or both further and higher education and either—

(a) maintained by an authority, or

(b) designated by or under regulations(c) for the time being in force under section 218 of the Education Reform Act 1988(d) as an institution substantially dependent for its maintenance on assistance from local education authorities or on grants under section 100(1)(b) of the Education Act 1944(e);";

(3) for the definition of "higher rate" there shall be substituted the following definition—

""higher rate" means, in relation to expenditure incurred before 1st April 1990, 70 per cent., and in relation to expenditure incurred on or after that date, 65 per cent.;";

(a) 1986 c.61; for the expression "prescribed" *see* section 67(3) of that Act and section 114 of the Education Act 1944 (c.31), and for the transfer of functions to the Secretary of State *see* S.I. 1964/490, 1970/1536 and 1978/274.
(b) S.I. 1987/96, amended by S.I. 1988/355.
(c) Regulations in which such institutions are currently designated are the Higher Education (Wales) Regulations 1989 (S.I. 1989/220), the Education (Schools and Further and Higher Education) Regulations 1989 (S.I. 1989/351) and the Education (Teachers) Regulations 1989 (S.I. 1989/1319).
(d) 1988 c.40.
(e) 1944 c.31, amended by section 213(3) of the Education Reform Act 1988 (c.40).