(*c*) the placing of contracts or orders for the provision of equipment ;

(*d*) the furnishing of information to the Ministry ;

(*e*) such other matters as appear to the Ministry necessary or desirable for the purposes of these Regulations.

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 10th day of March, 1948, in the presence of

(L.S.) *R. S. Brownell,*
Secretary.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 10th day of March, 1948, in the presence of

(L.S.) *John I. Cook,*
Assistant Secretary.

External Maintenance Grants

REGULATIONS DATED 10TH MARCH, 1948, MADE BY THE MINISTRY OF EDUCATION WITH THE APPROVAL OF THE MINISTRY OF FINANCE, UNDER THE EDUCATION ACT (NORTHERN IRELAND), 1947.

1948. No. 48

The Ministry of Education in exercise of the powers conferred on it by subsection (2) of Section one hundred and six and Section one hundred and twelve of the Education Act (Northern Ireland), 1947, and of all other powers enabling it in that behalf, and with the approval of the Ministry of Finance, hereby makes the following Regulations :—

1.—(1) These Regulations may be cited as the External Maintenance Grants Regulations (Northern Ireland), 1948.

(2) These Regulations shall come into operation on the first day of April, nineteen hundred and forty-eight.

2.—(1) In these Regulations unless the contrary intention appears, the following expressions have the meanings hereby assigned to them, that is to say :—

" the Act " means the Education Act (Northern Ireland), 1947 ;

" the Ministry " means the Ministry of Education for Northern Ireland ;

" approved " means approved by the Ministry ;

" school " means a primary, intermediate or special school, not being an independent school or a school under the management of a local education authority ;

" grant " means grant payable, pursuant to the provisions of subsection (2) of Section one hundred and six of the Act, in respect of the external maintenance of a school ;

" managers " has the meaning assigned to that expression by Section one hundred and sixteen of the Act.

(2) The Interpretation Act, 1921, shall apply for the purpose of the interpretation of these Regulations as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

3. Subject as hereinafter provided, where any external maintenance works estimated to cost more than £20 are proposed by the managers of a school it shall be a condition for the payment of grant in respect of the expenditure on such works that before such expenditure is incurred particulars thereof have been submitted to and approved by the Ministry :

Provided that in the case of external maintenance works estimated to cost more than £20 which could not reasonably have been anticipated and the non-performance of which would be likely to result in risk of injury to persons, or immediately to cause damage to property or a nuisance, failure to obtain the approval of the Ministry before the commencement of such works shall not be a disqualification for the payment of grant if the Ministry is satisfied that the managers have, as soon as was reasonably practicable, furnished the Ministry with particulars thereof.

4.—(1) Applications for grant shall be made in such form at such time and with such particulars as the Ministry may require.

(2) Payment of grant shall be made to the managers in respect of approved expenditure on external maintenance works on application to the Ministry for such grant and on the production to the Ministry of satisfactory evidence that such expenditure has been incurred by the said managers.

5.—(1) As a condition for the payment of grant the Ministry may require managers to give an undertaking that in the event of the discontinuance of a school in respect of which grant is paid the said managers will repay to the Ministry the amount by which payments of grant during the year immediately preceding such discontinuance exceeded in the aggregate fifty pounds.

(2) On the discontinuance of a school the Ministry may withhold any grant then due in respect of expenditure incurred before discontinuance, notwithstanding that such expenditure had previously been approved for the purpose of these Regulations.

6. Where the managers incur expenditure on works which include other works in addition to external maintenance works in respect of which grant is payable, and apply for grant in respect of expenditure on such external maintenance works, the Ministry shall, if it is not satisfied that the particulars furnished by the managers show separately the expenditure properly attributable to external maintenance works, determine what amount of the expenditure involved shall be approved for grant and the decision of the Ministry thereon shall be final :

Provided that in any case where any part of the total expenditure involved falls to be met by a local education authority the Ministry shall consult the authority before making the determination.

7. In the event of the managers incurring expenditure which in the opinion of the Ministry is in excess of that necessary to maintain the school externally in a reasonable condition, grant shall be payable only on so much of the expenditure as the Ministry considers ought to have been incurred.

8. Where expenditure becomes necessary because of external damage caused to a school by the action of any person not acting with the permission of, or under the control of, the managers and it appears that such expenditure or part thereof is recoverable from any person other than the managers, the Ministry shall not pay grant unless it is satisfied that the managers, having made all reasonable efforts to do so, have been unable to secure recovery of an amount which after the payment of any other sums properly payable out of the amount recovered is not sufficient to meet the full cost of making good the external damage, and in that event the Ministry may pay grant in respect of the amount by which such expenditure on approved external maintenance works exceeds the net amount available to the managers for such works out of the amount so recovered.

9. Where as a direct result of the execution of external maintenance works any fittings, materials or other articles or substances are made available for disposal the Ministry may, in the event of the managers applying for grant, take into account the value of such fittings, materials, articles or substances in determining the amount of the expenditure on which grant may be paid.

10. The Ministry may refuse to pay grant in respect of expenditure incurred in making good damage where it is satisfied that such damage is directly attributable to :—

(*a*) the neglect or default of the managers or of any person on the school premises under the control or with the permission of the managers ; or

(*b*) the use of the school premises or any part of the school premises for purposes other than the purposes of the school.

11. The Ministry 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, grant —

(*a*) the preparation of plans, specifications or estimates ;

(*b*) the invitation of offers or tenders for the execution of external maintenance works ;

(*c*) the placing of contracts or orders for the execution of external maintenance works ;

(*d*) the furnishing of information to the Ministry ;

(*e*) such other matters as appear to the Ministry necessary or desirable for the purposes of these Regulations.

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 10th day of March, 1948, in the presence of

(L.S.) *R. S. Brownell,*
Secretary.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 10th day of March, 1948, in the presence of

(L.S.) *John I. Cook,*
Assistant Secretary.

Heating, Lighting, Cleaning and Internal Maintenance Contributions

REGULATIONS, DATED 1ST APRIL, 1948, MADE BY THE MINISTRY OF EDUCATION UNDER THE EDUCATION ACT (NORTHERN IRELAND), 1947.

1948. - No. 89

The Ministry of Education (hereinafter referred to as " the Ministry ") in exercise of the powers conferred on it by Section 81 of the Education Act (Northern Ireland), 1947, (hereinafter referred to as " the Act ") and of all other powers enabling it in that behalf hereby makes the following Regulations :—

1.—(1) These Regulations may be cited as the Education (Heating, Lighting, Cleaning and Internal Maintenance Contribution) Regulations (Northern Ireland), 1948.

(2) These Regulations shall come into operation on the first day of April, nineteen hundred and forty-eight.