STATUTORY INSTRUMENTS

1971 No. 534

EDUCATION, ENGLAND AND WALES

The Removal of Defence Works (Grants) Regulations 1971

Made - - - -	*29th March* 1971
Laid before Parliament	*31st March* 1971
Coming into Operation	*1st April* 1971

The Secretary of State for Education and Science and the Secretary of State for Wales, in joint exercise of their powers under section 100(1)(*a*)(iii) of the Education Act 1944**(a)** as amended by paragraph 16 of schedule 8 to the Local Government Act 1958**(b)**, hereby make the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Removal of Defence Works (Grants) Regulations 1971 and shall come into operation on 1st April 1971.

(2) The Interpretation Act 1889**(c)** shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(3) For the purposes of these regulations "the Secretary of State", in relation to the removal of works on the premises of a school in Wales, means the Secretary of State for Wales and, in relation to the removal of other works, means the Secretary of State for Education and Science; and references to the removal of works are to be construed as including references to the reinstatement of premises so far as it is rendered necessary by any such removal.

Grants

2. The Secretary of State may in respect of any year pay to any local education authority (in these regulations called "authority") a grant equal to the expenditure reasonably incurred by them in that year in the removal of any such works as are described in section 100(1)(*a*)(iii) of the Education Act 1944 (removal of defence works) in any case where—

(*a*) the authority, after considering a report by the appropriate officer of the authority, are satisfied that the works are in such a condition that they are unfit for use for the purpose for which they were constructed or constitute a danger to the health of the inhabitants of the neighbourhood and that they cannot be rendered fit for use or, as the case may be, safe at reasonable cost;

(*b*) the removal of the works is necessary in order to enable the authority to carry out building work approved under section 13 of the Education Act 1944 or under regulations made under, or having effect as if made under, section 4(2) of the Local Government Act 1966**(d)**.

(a) 1944 c. 31.
(b) 1958 c. 55.
(c) 1889 c. 63.
(d) 1966 c. 42.

Amendment of 1959 *regulations*

3. The Removal of Defence Works Grant Regulations 1959**(a)** shall cease to have effect in relation to the removal of works by an authority and accordingly in regulation 4 of those regulations the words "by an Authority or" shall be omitted.

Given under the Official Seal of the Secretary of State for Education and Science on 25th March 1971.

(L.S.)

Margaret H. Thatcher,
Secretary of State for Education
and Science.

Given under my hand on 29th March 1971.

Peter Thomas,
Secretary of State for Wales.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These regulations amend the Removal of Defence Works Grant Regulations 1959 in their application to local education authorities. They specify the circumstances in which grants are payable for expenditure incurred in the removal of air raid shelters and temporary defence works and revoke the provisions requiring the prior approval of the Secretary of State.

(a) S.I. 1959/337 (1959 I, p. 1050).

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