(2) If the actual cost of carrying out work to which these regulations apply exceeds the approved estimated cost the Minister may withhold grant in respect of the whole or part of the excess.

6. No grant shall be paid under these regulations in respect of any expenditure if grant is payable in respect thereof by the Minister or any other Government Department otherwise than under these regulations.

Given under the Official Seal of the Minister of Education this 2nd day of March, 1959.

(L.S.)

Edward C. G. Boyle,
Parliamentary Secretary to the Ministry of Education.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations make continued provision for payment by the Minister of Education of 100 per cent. grant on expenditure incurred by local education authorities and the governing bodies of voluntary teacher training colleges on the removal of air raid shelters and temporary defence works. They replace existing provisions contained in the Education (Local Education Authorities) Grant Regulations, 1952 (S.I. 1952/1331 (1952 I, p. 812)), and the Training of Teachers Grant Regulations, 1955 (S.I. 1955/1907 (1955 I, p. 716)), to be revoked.

1959 No. 366

The Special Schools and Establishments (Grant) Regulations, 1959

Made - - - -	*5th March,* 1959
Laid before Parliament	*12th March,* 1959
Coming into Operation	*1st April,* 1959

The Minister of Education, in exercise of the powers conferred upon him by section 100 of the Education Act, 1944(a), hereby makes the following regulations:—

1. These regulations may be cited as the Special Schools and Establishlishments (Grant) Regulations, 1959, and shall come into operation on the first day of April, 1959.

2. These regulations make provision for payment by the Minister of Education of grant in respect of special schools, and establishments for the further education and training of disabled persons, maintained or proposed to be maintained by bodies other than local education authorities, and prescribe the conditions on which grant will be paid.

3. The Interpretation Act, 1889(b), shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

(a) 7 & 8 Geo. 6. c. 31. (b) 52 & 53 Vict. c. 63.

Grant

4.—(1) The Minister may pay

(*a*) capital grant in respect of expenditure on the acquisition of any interest in land or buildings, or the provision of buildings, furniture or equipment, for the purpose of a special school, if such expenditure has been approved by the Minister; and

(*b*) maintenance grant in respect of the maintenance of a special school or establishment for the further education and training of disabled persons,

of an amount to be determined by him.

(2) In determining whether to pay grant under this regulation, and the amount of grant, the Minister will take into consideration the character and cost of the school or establishment, and the financial resources of the body responsible for it, including, in respect of capital grant, any sums which may accrue from the disposal of land or buildings, and, in respect of maintenance grant, any sums which may be received from any Government Department or local authority, or as fees from pupils.

(3) The Minister shall not pay grant under this regulation unless he is satisfied that the body responsible for the school or establishment is properly constituted, and financially sound.

5. The Minister shall pay grant equal to half the amount of the employer's contribution under section 9 of the Teachers (Superannuation) Act, 1925(**a**), in respect of teachers in a special school or establishment as aforesaid who are in contributory service.

Conditions of Grant

6.—(1) Grant in respect of a special school will be paid on condition that it observes the requirements applicable to it contained in the Handicapped Pupils and Special Schools Regulations, 1959(**b**).

(2) The Minister may impose the following further conditions on paying capital grant in respect of a special school—

(*a*) he may require two or more schools to be combined for the more efficient provision of facilities for the treatment of handicapped pupils;

(*b*) he may impose such conditions for securing the continuity of the school as he shall think necessary;

(*c*) he may require the body receiving grant to undertake in writing to repay such portion of the grant as the Minister may require in the event of the school either ceasing to exist, or failing, in his opinion, to be carried on efficiently.

7. Grant in respect of an establishment for the further education and training of disabled persons will be paid on condition that it observes the requirements contained in regulations 5, 10, 11, 17, 19, 20, 21, 22, 24 and 25 of the Handicapped Pupils and Special Schools Regulations, 1959, and in the Second Schedule to the Schools Regulations, 1959(**c**), (except paragraph 2 thereof), as if those requirements applied to such establishments, and to the students and teachers therein.

(**a**) 15 & 16 Geo. 5. c. 59. (**b**) S.I. 1959/365 (Pt. I, p. 1024, of this vol.).
(**c**) S.I. 1959/364 (Pt. I, p. 1584, of this vol.).

8. Grant in respect of such an establishment will be paid on the following further conditions—

(*a*) the establishment shall provide courses of training for persons suffering from disability of mind or body, in preparation for their employment;

(*b*) the courses shall be such as are approved by the Minister, and they shall be appropriate to the disability of the students, and include provision for their general education and for their physical training and recreation;

(*c*) students shall not be admitted if under the upper limit of compulsory school age;

(*d*) there shall be a staff of teachers able to provide the courses of training required; and

(*e*) the establishment shall be carried on with efficiency, and be open to inspection by Her Majesty's Inspectors or some other person appointed for the purpose by the Minister.

9. When a condition is imposed by or under these regulations on the payment of grant, and the condition is not, in the opinion of the Minister, complied with, he may withhold, or make a deduction from, grant.

Revocation

10. Parts I, II, IV, VII and VIII of the School Health Service and Handicapped Pupils Regulations, 1953(**a**), and the School Health Service and Handicapped Pupils Amending Regulations, 1954(**b**), are hereby revoked.

Given under the Official Seal of the Minister of Education this 5th day of March, 1959.

(L.S.)

Geoffrey Lloyd,
Minister of Education.

EXPLANATORY NOTE

(*This Note is not part of the Regulations, but is intended to indicate their general purport.*)

These regulations revoke the existing regulations providing for grant in respect of all special schools and establishments for the further education and training of disabled persons, and replace them by provisions limited to grant in respect of schools and establishments of this kind maintained by bodies other than local education authorities. No change of substance has otherwise been made.

(**a**) S.I. 1953/1156 (1953 I, p. 613). (**b**) S.I. 1954/1389 (1954 I, p. 727).