1964. No. 213 **[C]**

EDUCATION

Voluntary Primary, Intermediate and Special Schools Building Grants

REGULATIONS, DATED 29TH DECEMBER, 1964, MADE BY THE MINISTRY OF EDUCATION WITH THE APPROVAL OF THE MINISTRY OF FINANCE UNDER SECTIONS 106 AND 112 OF THE EDUCATION ACT (NORTHERN IRELAND) 1947.

The Ministry of Education (hereinafter referred to as "the Ministry") in exercise of the powers conferred upon it by Sections 106(1) and 112(1) 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:—

Citation and Commencement

1.—(1) These Regulations may be cited as the Voluntary Primary, Intermediate and Special Schools Building Grant Regulations (Northern Ireland) 1964.

(2) These Regulations shall come into operation on 1st March, 1965.

(3) The Voluntary Primary, Intermediate and Special Schools Building Grant Regulations (Northern Ireland) 1962(a) are hereby revoked.

Definitions

2. In these Regulations the following expressions have the meanings hereby assigned to them, that is to say:

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

"alteration" includes any structural improvement, enlargement of or addition to the premises of a school;

"approved" means approved by the Ministry;

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

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

Expenditure towards which grants are payable

3.—(1) The Ministry may, subject to and in accordance with the provisions of the Act and these Regulations, pay grants towards approved expenditure incurred on or in connection with the provision of a new school or the alteration of an existing school.

(2) Subject as aforesaid, the power of the Ministry to pay grants under these Regulations shall include power to pay grants towards approved expenditure on or in connection with—

(*a*) works of a temporary nature;

(*b*) the acquisition of land; and

(*c*) in the case of a special school, the provision or alteration of boarding accommodation.

(a) S.R. & O. (N.I.) 1962, No. 107.

(3) When 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.

Application for grants

4.—(1) Save as provided in Regulation 9 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 is vested in them in such manner as to satisfy the requirements of Section 106(1) of the Act for ever or for an approved term of years and on such conditions 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 Section 9(2) of the Act consulted the local education authority 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 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 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.

(3) The premises shall not be used for political meetings, or for the transaction of any political business or for any purposes connected directly or indirectly with parliamentary or local government elections, otherwise than as polling booths on the requisition of the officer responsible under the enactments governing such elections.

(4) The applicants shall maintain the premises (including all buildings or erections thereon and all fixtures, fittings and equipment therein) in a manner satisfactory to the Ministry and shall carry out or cause to be carried out such works of internal or external maintenance or take such other action as the Ministry may from time to time direct.

(5) The premises or the furniture, fittings or equipment shall not be used otherwise than for the purposes of the Education Acts (Northern Ireland) 1947 to 1963, or the Youth Welfare Physical Training and Recreation Acts (Northern Ireland) 1938 to 1962, or purposes ancillary thereto, or otherwise intended to secure improvement in education or in moral or physical welfare.

Payment of grants

7.—(1) Subject as hereinafter provided, a payment on foot of a grant shall not be made towards expenditure incurred on the purchase of lands, premises or equipment without the prior approval of the Ministry or on works begun before the Ministry has signified its approval thereof or (except as provided by paragraph (3) with respect to payment of instalments) on works which have not been completed to the satisfaction of the Ministry: provided that expenditure incurred without the prior approval of the Ministry may be admitted for grant at the discretion of the Ministry either in full or to such extent as the Ministry considers reasonable in the circumstances.

(2) Expenditure on the carrying-out of works shall not, save in so far as the Ministry may otherwise approve, be treated as approved expenditure for the purpose of these Regulations unless incurred by acceptance of the lowest competitive tender received in response to public advertisement.

(3) The Ministry may pay grants by instalments, the first of which shall not be paid until at least one-tenth of the estimated cost of the work has been met by the applicants and the final instalment of grant shall not be paid until the work has been completed to the satisfaction of the Ministry and any maintenance period prescribed in the contract documents has expired.

(4) The applicants shall furnish or cause to be furnished to the Ministry all such receipts, architect's certificates or other documents as the Ministry may require for the purpose of vouching the approved expenditure towards which the grant is to be paid.

(5) On such vouching payments on foot of the grant may be made to the applicants or to any manager or other person nominated by them whose receipt shall be a good discharge to the Ministry.

Loss or damage by fire, boiler, etc.

8.—(1) Grant shall not be paid in respect of expenditure incurred in making good loss or damage resulting from fire or from any defect in or accident to, or accident caused by, a boiler installed on the premises or from any other risk in respect of which the Ministry has issued a direction under Regulation 6(1).

(2) Where after premises have suffered such loss or damage as is referred to in paragraph (1) works are carried out with the approval of the Ministry which result in alterations to the premises in addition to or in lieu of the making good of such loss or damage, the expenditure on such works in respect of which grant is payable, shall be the approved cost of the works reduced by the estimated cost of making good such loss or damage.

(3) Where after premises have suffered such loss or damage as is referred to in paragraph (1) new premises are provided with the approval of the Ministry in lieu of the making good of such loss or damage, the expenditure on such works in respect of which grant is payable shall be the approved cost of the works reduced by the estimated cost of making good such loss or damage.

(4) For the purposes of this Regulation the estimated cost of making good loss or damage shall be the cost as estimated by or agreed by the Ministry.

Schools vested in the Ministry

9. These Regulations shall in their application to schools vested in the Ministry have effect subject to the following modifications—

(*a*) applications for grant shall be made by the manager of the school;

(*b*) for Regulation 5(1)(*a*) the following Regulation shall be substituted:—

> "5(1)(*a*). A grant shall not be paid under these Regulations unless the manager of the school provides or undertakes 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 work proposed to be carried out.";

(*c*) in Regulation 6(1) and in Regulation 7 any reference to the applicants shall be deemed to be a reference to the manager of the school.

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 29th day of December, 1964, in the presence of

(L.S.)

Leslie Arndell,
Assistant Secretary.

The Ministry of Finance hereby approves of the foregoing Regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 29th day of December, 1964, in the presence of

(L.S.)

R. H. Kidd,
Assistant Secretary.

EXPLANATORY NOTE

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

The purpose of these Regulations is broadly to establish uniformity in wording and layout with the Voluntary Grammar School Building Grants Regulations (S.R. & O. (N.I.) 1964, No. 7). The provisions of the revoked Regulations have been retained within the limits of the revised wording and layout.

1964. No. 214 **[NC]**

HEALTH SERVICES

General Scheme: Modification

ORDER, DATED 30TH DECEMBER, 1964, MADE BY THE MINISTRY OF HEALTH AND LOCAL GOVERNMENT UNDER SECTION 28 OF THE HEALTH SERVICES ACT (NORTHERN IRELAND) 1948.

Whereas section 28(4) of the Health Services Act (Northern Ireland) 1948(**a**) provides that the Northern Ireland Hospitals Authority (in this Order referred to as "the Authority") may from time to time, after consultation with the Ministry of Health and Local Government (in this Order referred to as "the Ministry"), adopt a new general scheme providing for the modification of the general scheme for the time being in force:

And whereas the Authority has adopted and submitted to the Ministry a new general scheme providing for the modification of the general scheme already adopted by the Authority and approved by the Ministry by Order dated 31st May, 1948(**b**), as modified by new general schemes adopted by the Authority and approved by the Ministry by Orders dated 31st December, 1948(**c**), 30th September, 1949(**d**), 1st January, 1950(**e**), 11th April, 1951(**f**), 31st October, 1956(**g**), 18th September, 1957(**h**), 21st August, 1958(**i**), 26th March, 1959(**j**), 18th December, 1959(**k**), 3rd February, 1961(**l**), 20th March, 1962(**m**), 30th October, 1962(**n**), 29th May, 1963(**o**), and 28th September, 1964(**p**).

And whereas the Ministry thinks fit to approve the new general scheme:

Now, therefore, the Ministry, in exercise of the powers conferred upon it by section 28 of the Health Services Act (Northern Ireland) 1948, and of all other powers so enabling, hereby orders as follows:—

(**a**) 1948. c. 3.
(**b**) S.R. & O. (N.I.) 1948, No. 143.
(**c**) S.R. & O. (N.I.) 1948, No. 332.
(**d**) S.R. & O. (N.I.) 1949, No. 176.
(**e**) S.R. & O. (N.I.) 1950, No. 2.
(**f**) S.R. & O. (N.I.) 1951, No. 49.
(**g**) S.R. & O. (N.I.) 1956, No. 169.
(**h**) S.R. & O. (N.I.) 1957, No. 196.
(**i**) S.R. & O. (N.I.) 1958, No. 140.
(**j**) S.R. & O. (N.I.) 1959, No. 55.
(**k**) S.R. & O. (N.I.) 1959, No. 191.
(**l**) S.R. & O. (N.I.) 1961, No. 22.
(**m**) S.R. & O. (N.I.) 1962, No. 45.
(**n**) S.R. & O. (N.I.) 1962, No. 192.
(**o**) S.R. & O. (N.I.) 1963, No. 113.
(**p**) S.R. & O. (N.I.) 1964, No. 153.