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WELSH STATUTORY INSTRUMENTS

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**2005 No. 2838 (W.202)**

**EDUCATION, WALES**

**The Education (Assisted Places)  
(Amendment) (Wales) Regulations 2005**

*Made* - - - - *11 October 2005*

*Coming into force* - - *14 October 2005*

The National Assembly for Wales, having consulted, in accordance with section 3(7) of the Education (Schools) Act 1997<sup>(1)</sup>, such bodies as appear to it to be appropriate and representative of schools which provide assisted places under section 2(1) of that Act, makes the following Regulations under the powers conferred on the Secretary of State by section 3(1), (2), (5) and (9) of that Act and now exercisable by the National Assembly for Wales<sup>(2)</sup>:

**Title, commencement and application**

1.—(1) The title of these Regulations is the Education (Assisted Places) (Amendment) (Wales) Regulations 2005 and they come into force on 14 October 2005.

(2) These Regulations apply in relation to Wales in respect of a relevant remission question.

(3) In paragraph 2 above, “relevant remission question” means a remission question under the Education (Assisted Places) Regulations 1997 which—

(a) arises in respect of a school year beginning on or after 1 September 2005; and

(b) has not been determined at the date on which these Regulations come into force.

**Amendment of the Education (Assisted Places) Regulations 1997**

2.—(1) The Education (Assisted Places) Regulations 1997<sup>(3)</sup> are amended as follows.

(2) In regulation 10(4) and (6), for “£1,540” in each place where it appears there is substituted “£1,575”.

(3) In paragraph 1 of Schedule 2, for “£11,935” there is substituted “£12,182”.

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(1) 1997 c. 59. Section 3 was amended by section 130 of the School Standards and Framework Act 1998 (c. 31).

(2) The functions of the Secretary of State under section 3 are exercisable by the National Assembly for Wales in relation to Wales: *see* Article 2 of, and the entry in respect of the Education (Schools) Act 1997 in Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(3) S.I. 1997/1968, amended by S.I. 1998/1726, S.I. 1998/1966, S.I. 1999/1504, S.I. 2000/1938 (W.136), S.I. 2001/2680 (W.221), S.I. 2002/1879 (W.188), S.I. 2003/1854 (W.204) and S.I. 2004/1812 (W.197).

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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(4) For the table following paragraph 2(1) of that Schedule there is substituted the following table—

“TABLE

<i>(1)</i> <i>Part of relevant income to which specified percentage applies</i>	<i>(2)</i> <i>Only assisted pupil (%)</i>	<i>(3)</i> <i>Each of two assisted pupils (%)</i>	<i>(4)</i> <i>Each of three assisted pupils (%)</i>
That part (if any) which exceeds £12,016 but does not exceed £13,066	9	6.75	5.25
That part (if any) which exceeds £13,066 but does not exceed £14,133	12	9	7
That part (if any) which exceeds £14,133 but does not exceed £16,247	15	11.25	8.75
That part (if any) which exceeds £16,247 but does not exceed £19,509	21	15.75	12.25
That part (if any) which exceeds £19,509 but does not exceed £23,761	24	18	14
That part (if any) which exceeds £23,761	33	24.75	19.25”

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(4).

11 October 2005

*D. Elis-Thomas*  
The Presiding Officer of the National Assembly

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Education (Assisted Places) Regulations 1997 (“the 1997 Regulations”) for the purposes of a “relevant remission question”. This is a remission question under the 1997 Regulations that arises in respect of a school year beginning on or after 1 September 2005 and which has not been determined on the date on which these Regulations come into force.

The 1997 Regulations provide arrangements for the remission of school fees for pupils who are eligible to continue to hold assisted places at independent schools by virtue of section 2 of the Education (Schools) Act 1997, notwithstanding the abolition of the assisted places scheme by section 1 of that Act.

The deduction to be made in “relevant” income in respect of dependent relatives under regulation 10(4) and (6) of the 1997 Regulations is increased from £1,540 to £1,575.

Where “relevant” income is at or below a particular level, fees are to be wholly remitted. That level is increased from £11,935 to £12,182, with corresponding increases in the extent of the remission where “relevant” income exceeds that sum.