

**2003 No. 280**

**EDUCATION**

**The St Mary's Music School (Aided Places) (Scotland)  
Amendment Regulations 2003**

<i>Made</i>	<i>4th June 2003</i>
<i>Laid before the Scottish Parliament</i>	<i>5th June 2003</i>
<i>Coming into force</i>	<i>1st August 2003</i>

The Scottish Ministers, in exercise of the powers conferred by sections 73(f) and 74(1) of the Education (Scotland) Act 1980(a) and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the St Mary's Music School (Aided Places) (Scotland) Amendment Regulations 2003 and shall come into force on 1st August 2003.

**Amendment of St Mary's Music School (Aided Places) (Scotland) Regulations 2001**

2. Schedule 1 to the St Mary's Music School (Aided Places) (Scotland) Regulations 2001(b) is amended as follows:—

- (a) in paragraph 10(3) and (5) (references to income) for the sum of “£1,463” in the three places where it occurs substitute “£1,500”;
- (b) in paragraph 13 (remission of fees—boarding pupils)—
  - (i) in sub-paragraph (2) for the sum of “£9,772” substitute “£9,997”; and
  - (ii) in sub-paragraph (3) for the Table substitute—

“ (1) <i>Part of relevant income to which specified percentage applies</i>	(2) <i>Only aided pupil</i>	(3) <i>Each of two aided pupils</i>
That part which exceeds £9,844 but does not exceed £12,441	10%	7.5%
That part (if any) which exceeds £12,441 but does not exceed £17,439	20%	15%
That part (if any) in excess of £17,439	12.5%	7.5%

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(a) 1980 c.44; section 73(f) was amended by the Teaching and Higher Education Act 1998 (c.30), section 29; section 74(1) was amended by the Self-Governing Schools etc. (Scotland) Act 1989 (c.39), section 82 and Schedule 10, paragraph 8 (17). Section 135(1) contains a definition of “prescribed” relevant to the exercise of the statutory powers under which these Regulations are made. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) S.S.I. 2001/223, as amended by S.S.I. 2002/248.

- (c) in paragraph 14 (remission of fees-day pupils)–
  - (i) in sub-paragraph (2) for the sum of “£12,310” substitute “£12,593”; and
  - (ii) in sub-paragraph (3) for the sum of “£12,161” substitute “£12,441”;
- (d) for paragraph 17 (remission of charges for meals-day pupils) substitute–

“17.—(1) Where the parents of an aided pupil who is a day pupil satisfy the school at any time during a school year, or the month preceding the beginning of a school year, that they are a person specified in paragraph (2) the school shall remit the whole of any charges for meals–

- (a) for the whole of that school year, where it is satisfied as aforesaid at or before the beginning of that year; or
- (b) for the remainder of the school year, where it is so satisfied in the course thereof,

notwithstanding that the parents may cease to be a person specified in paragraph (2) between the school being so satisfied and the end of the school year in question.

- (2) The person referred to in paragraph (1) is a person who is in receipt of–
  - (i) income support;
  - (ii) an income-based jobseeker’s allowance (payable under the Jobseekers Act 1995(a)); or
  - (iii) Child Tax Credit (payable under Tax Credits Act 2002(b)) in the circumstances set out in paragraph (3).

- (3) The circumstances referred to in paragraph (2)(iii) are–
  - (i) the person is entitled to Child Tax Credit but not to Working Tax Credit (payable under the Tax Credits Act 2002); and
  - (ii) the person is receiving Child Tax Credit by virtue of an award which is based on an annual income not exceeding the amount determined for the purposes of section 7(1)(a) of the Tax Credits Act 2002 as the income threshold for Child Tax Credit.”;

- (e) in paragraph 18 (clothing grants)–
  - (i) in sub-paragraph (3)–
    - (aa) for the sum of “£12,760” substitute “£13,053”; and
    - (bb) for heads (a) to (d) substitute–
      - “(a) £199, where the relevant income does not exceed £11,460;
      - (b) £149, where that income exceeds £11,460 but does not exceed £11,994;
      - (c) £97, where that income exceeds £11,994 but does not exceed £12,508;
      - (d) £50, where that income exceeds £12,508 but does not exceed £13,053.”;
      - and
  - (ii) in sub-paragraph (4)–
    - (aa) for the sum of “£12,227” substitute “£12,508”; and
    - (bb) for heads (a) and (b) substitute–
      - “(a) £77, where the relevant income does not exceed £11,629;
      - (b) £40, where that income exceeds £11,629 but does not exceed £12,508.”;
      - and

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(a) c.18.  
(b) c.21.

- (f) in sub-paragraph (1) of paragraph 24 (amount of school travel grants) for the sums of “£11,385” and “£11,202” substitute “£11,647” and “£11,460” respectively.

St Andrew's House,  
Edinburgh  
4th June 2003

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A member of the Scottish Executive

## EXPLANATORY NOTE

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

The Regulations amend the St Mary's Music School (Aided Places) (Scotland) Regulations 2001 to uprate, with effect from 1st August 2003, the qualifying income levels for the remission of fees and charges and the making of grants under the aided places scheme, and to add receipt of the Child Tax Credit as one of the qualifying benefits for remission of charges for meals for day pupils.

The details of the amendments are as follows:—

- (a) the deduction from relevant income for dependent children and relatives has been increased from £1,463 to £1,500 (regulation 2(a));
- (b) the level of income at or below which fees are to be wholly remitted is increased from £9,772 to £9,997 for boarders and from £12,310 to £12,593 for day pupils, with corresponding increases in the extent of fee remission where the relevant income exceeds these sums (regulation 2(b) and (c));
- (c) the circumstances in which receipt of the Child Tax Credit is a qualifying benefit for remission of charges for meals for day pupils is that the parent must not be in receipt of the Working Tax Credit and that the award of Child Tax Credit must be based on an annual income not exceeding the amount determined for the purposes of section 7(1)(a) of the Tax Credits Act 2002(a), currently £13,230 (regulation 2(d));
- (d) the qualifying income levels for clothing grants and school travel grants are increased (regulation 2(e) and (f)); and
- (e) school clothing grants are increased by either £2 or £1, depending on the income level (regulation 2(e)).

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