

2004 No. 239

EDUCATION

**The Education (Assisted Places) (Scotland) Amendment
Regulations 2004**

Made - - - - - *20th May 2004*

Laid before the Scottish Parliament *25th May 2004*

Coming into force - - - *1st August 2004*

The Scottish Ministers, in exercise of the powers conferred by sections 75A(9) and (10) and 75B of the Education (Scotland) Act 1980(a) and of all other powers enabling them in that behalf, and after having consulted such bodies as appear to the Scottish Ministers to be appropriate and to be representative of participating schools in accordance with section 75A(11) of that Act, hereby make the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Education (Assisted Places) (Scotland) Amendment Regulations 2004 and shall come into force on 1st August 2004.

Amendment of the Education (Assisted Places) (Scotland) Regulations 2001

2. The Education (Assisted Places) (Scotland) Regulations 2001(b) are amended as follows—
- (a) in regulation 9(3) and (5) (references to income) for the sum of “£1,500” in the three places where it occurs substitute “£1,541”;
 - (b) in regulation 13(2) (scales of remission) for the sum of “£11,629” substitute “£11,943”;
 - (c) in regulation 15(6) (school travel grants for day pupils and amounts thereof) for the sums of “£11,647” and “£11,460” substitute “£11,961” and “£11,769” respectively;
 - (d) in regulation 16(5) (school travel grants for boarding pupils and amounts thereof) for the sums of “£11,647” and “£11,460” substitute “£11,961” and “£11,769” respectively;
 - (e) for regulation 17(2) substitute—
 - “(2) A clothing grant shall be made in the case of an assisted pupil as respects whom the relevant income does not exceed £12,846 and shall be of an amount equal to so much of the clothing expenditure (disregarding expenditure in respect of which a previous grant has been paid) as does not exceed—
 - (a) £79, where the relevant income is £11,943 or less;
 - (b) £41, where that income exceeds £11,943 but does not exceed £12,846.”; and

(a) 1980 c.44; sections 75A and 75B were inserted by section 5 of the Education (Scotland) Act 1981 (c.58). Section 75A was amended by the Education (Schools) Act 1997 (c.59), sections 5 and 6 and the Schedule, and by the School Standards and Framework Act 1998 (c.31), sections 130 and 140 and Schedule 31. 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. 2001/222, as amended by S.S.I. 2002/249 and S.S.I. 2003/281.

(f) for Schedule 2 substitute–

“SCHEDULE 2

Regulation 13

SCALES OF REMISSION

<i>(1)</i> <i>Part of relevant income to which the specified percentage applies</i>	<i>(2)</i> <i>Parental contribution percentage</i>
That part (if any) which exceeds £11,769 but does not exceed £12,797	9%
That part (if any) which exceeds £12,797 but does not exceed £13,842	12%
That part (if any) which exceeds £13,842 but does not exceed £15,913	15%
That part (if any) which exceeds £15,913 but does not exceed £19,108	21%
That part (if any) which exceeds £19,108 but does not exceed £23,272	24%
That part (if any) which exceeds £23,272	33%

PETER PEACOCK
A member of the Scottish Executive

St Andrew's House,
Edinburgh
20th May 2004

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Assisted Places) (Scotland) Regulations 2001 to uprate the qualifying income levels for the remission of fees and charges and the making of grants under the assisted places scheme.

The deduction made from relevant income for dependent children and relatives has been increased from £1,500 to £1,541 (regulation 2(a)).

The level of income at or below which fees are to be wholly remitted is increased from £11,629 to £11,943 with corresponding increases in the extent of remission where the relevant income exceeds that figure (regulation 2(b) and (f)).

The qualifying income levels for school travel grants and clothing grants are also uprated, with clothing grants being increased by either £2 or £1 (regulation 2(c), (d) and (e)).

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