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SCOTTISH STATUTORY INSTRUMENTS

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**2005 No. 270**

**EDUCATION**

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

<i>Made</i>	- - - -	<i>17th May 2005</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>19th May 2005</i>
<i>Coming into force</i>	- -	<i>1st August 2005</i>

The Scottish Ministers, in exercise of the powers conferred by sections 75A(9) and (10) and 75B of the Education (Scotland) Act 1980(1) 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 2005 and shall come into force on 1st August 2005.

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

2. The Education (Assisted Places) (Scotland) Regulations 2001(2) are amended as follows:—
- (a) in regulation 9(3) and (5) (references to income) for the sum of “£1,541” in the three places where it occurs substitute “£1,573”;
  - (b) in regulation 13(2) (scales of remission) for the sum of “£11,943” substitute “£12,193”;
  - (c) in regulation 15(6) (school travel grants for day pupils and amounts thereof) for the sums of “£11,961” and “£11,769” substitute “£12,212” and “£12,016” respectively;
  - (d) in regulation 16(5) (school travel grants for boarding pupils and amounts thereof) for the sums of “£11,961” and “£11,769” substitute “£12,212” and “£12,016” respectively;

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(1) 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).

(2) S.S.I. 2001/222, as amended by S.S.I. 2002/249, S.S.I. 2003/281 and SSI2004/239.

(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 £13,115 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) £81, where the relevant income is £12,193 or less;

(b) £42, where that income exceeds £12,193 but does not exceed £13,116.”; and

(f) for Schedule 2 substitute—

“SCHEDULE  
2

Regulation 13

SCALES OF REMISSION

<i>(1) Part of relevant income to which the specified percentage applies</i>	<i>(2) Parental contribution percentage</i>
That part (if any) which exceeds £12,016 but does not exceed £13,066	9%
That part (if any) which exceeds £13,066 but does not exceed £14,133	12%
That part (if any) which exceeds £14,133 but does not exceed £16,247	15%
That part (if any) which exceeds £16,247 but does not exceed £19,510	21%
That part (if any) which exceeds £19,510 but does not exceed £23,760	24%
That part (if any) which exceeds £23,760	33%”.

St Andrew’s House, Edinburgh  
17th May 2005

*PETER J PEACOCK*  
A member of the Scottish Executive

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## EXPLANATORY NOTE

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

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 £1,541 to £1,573 (regulation 2(a)).

The level of income at or below which fees are to be wholly remitted is increased from £11,943 to £12,193 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)).