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SCOTTISH STATUTORY INSTRUMENTS

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**2019 No. 144**

**EDUCATION**

**The St Mary's Music School (Aided Places)  
(Scotland) Amendment Regulations 2019**

<i>Made</i>	- - - -	<i>23rd April 2019</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>25th April 2019</i>
<i>Coming into force</i>	- -	<i>1st August 2019</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 73(f) and 74(1) of the Education (Scotland) Act 1980(1) and all other powers enabling them to do so.

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the St Mary's Music School (Aided Places) (Scotland) Amendment Regulations 2019 and come into force on 1 August 2019.

(2) In these Regulations, “the 2015 Regulations” means the St Mary's Music School (Aided Places) (Scotland) Regulations 2015(2).

**Minor amendments**

2.—(1) The 2015 Regulations are amended as follows.

(2) In regulation 2 (interpretation), for the definition of “EEA State” substitute ““EEA State” means a member State of the European Union, Norway, Iceland or Liechtenstein;”.

(3) In schedule 1, part 1, paragraph 2(1)(b)(ii) (residence), for “Community” substitute “Union”.

(4) In schedule 1, part 1, paragraph 5(3) (income)—

(a) in head (a), for “under section 17” substitute “within the meaning of section 17(6)”, and

(b) in head (b), omit “other” in each place it appears.

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(1) 1980 c.44. Section 73(f) was amended by section 3(2) of the Education (Graduate Endowment and Student Support) (Scotland) Act 2001 (asp 6). Section 74(1) was amended by section 82(1) of, and paragraph 8(17) of Schedule 10 to, the Self-Governing Schools etc. (Scotland) Act 1989 (c.39). Section 135(1) of the Act 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 section 53 of the Scotland Act 1998 (c.46).

(2) S.S.I. 2015/248.

### Amendments relating to the calculation of income

3.—(1) Schedule 1, part 2, paragraph 9 (income) of the 2015 Regulations is amended as follows.

(2) In sub-paragraph (2), in the definition of “total income”, head (a)(i), after “Chapter 3” insert “of Part 6”.

(3) In sub-paragraph (3), for “£1,908” substitute “£2,050”.

(4) In sub-paragraph (4)(b), for “£1,908” substitute “£2,050”.

### Amendments relating to remission of fees (boarders)

4.—(1) Schedule 1, part 2, paragraph 12 (remission of fees (boarders)) of the 2015 Regulations is amended as follows.

(2) In sub-paragraph (2), for “£12,722” substitute “£13,665”.

(3) In sub-paragraph (3)—

(a) before “table”, where it first occurs, omit “following”,

(b) after “table”, where it first occurs, insert “for the school year in relation to which an application for fee remission is made”,

(c) for the table substitute—

**“Table for the school year beginning in 2019**

<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
<i>Part of relevant income to which specified percentage applies</i>	<i>Only one aided pupil</i>	<i>Each of two or more aided pupils</i>
That part (if any) which exceeds £13,456 but does not exceed £17,010	10%	7.5%
That part (if any) which exceeds £17,010 but does not exceed £22,843	20%	15%
That part (if any) which exceeds £22,843 but does not exceed £45,000	12.5%	7.5%
That part (if any) which exceeds £45,000 but does not exceed £65,000	13.25%	7.95%
That part (if any) which exceeds £65,000 but does not exceed £85,000	13.75%	8.25%
That part (if any) which exceeds £85,000 but does not exceed £105,000	14.25%	8.55%
That part (if any) which exceeds £105,000 but does not exceed £125,000	14.75%	8.85%
That part (if any) in excess of £125,000	15.25%	9.15%

**Table for the school year beginning in 2020 and subsequent years**

<b>(1)</b>	<b>(2)</b>	<b>(3)</b>
<b><i>Part of relevant income to which specified percentage applies</i></b>	<b><i>Only one aided pupil</i></b>	<b><i>Each of two or more aided pupils</i></b>
That part (if any) which exceeds £13,456 but does not exceed £17,010	10%	7.5%
That part (if any) which exceeds £17,010 but does not exceed £22,843	20%	15%
That part (if any) which exceeds £22,843 but does not exceed £45,000	12.5%	7.5%
That part (if any) which exceeds £45,000 but does not exceed £65,000	14%	8.4%
That part (if any) which exceeds £65,000 but does not exceed £85,000	15%	9%
That part (if any) which exceeds £85,000 but does not exceed £105,000	16%	9.6%
That part (if any) which exceeds £105,000 but does not exceed £125,000	17%	10.2%
That part (if any) in excess of £125,000	18%	10.8%”.

**Amendments relating to remission of fees (day pupils)**

5.—(1) Schedule 1, part 2, paragraph 13 (remission of fees (day pupils)) of the 2015 Regulations is amended as follows.

(2) In sub-paragraph (2), for “£16,028” substitute “£17,219”.

(3) In sub-paragraph (3)—

- (a) before “table”, where it first occurs, omit “following”,
- (b) after “table”, where it first occurs, insert “for the school year in relation to which an application for fee remission is made”,
- (c) for the table substitute—

**“Table for the school year beginning in 2019**

<b>(1)</b>	<b>(2)</b>	<b>(3)</b>
<b><i>Part of relevant income to which specified percentage applies</i></b>	<b><i>Only one aided pupil</i></b>	<b><i>Each of two or more aided pupils</i></b>
That part (if any) which exceeds £17,010 but does not exceed £45,000	10%	7.5%
That part (if any) which exceeds £45,000 but does not exceed £65,000	10.5%	7.875%

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<b>(1)</b>	<b>(2)</b>	<b>(3)</b>
<b><i>Part of relevant income to which specified percentage applies</i></b>	<b><i>Only one aided pupil</i></b>	<b><i>Each of two or more aided pupils</i></b>
That part (if any) which exceeds £65,000 but does not exceed £85,000	11%	8.25%
That part (if any) which exceeds £85,000 but does not exceed £105,000	11.5%	8.625%
That part (if any) which exceeds £105,000 but does not exceed £125,000	12%	9%
That part (if any) in excess of £125,000	12.5%	9.375%

**Table for the school year beginning in 2020 and subsequent years**

<b>(1)</b>	<b>(2)</b>	<b>(3)</b>
<b><i>Part of relevant income to which specified percentage applies</i></b>	<b><i>Only one aided pupil</i></b>	<b><i>Each of two or more aided pupils</i></b>
That part (if any) which exceeds £17,010 but does not exceed £45,000	10%	7.5%
That part (if any) which exceeds £45,000 but does not exceed £65,000	11%	8.25%
That part (if any) which exceeds £65,000 but does not exceed £85,000	12%	9%
That part (if any) which exceeds £85,000 but does not exceed £105,000	13%	9.75%
That part (if any) which exceeds £105,000 but does not exceed £125,000	14%	10.5%
That part (if any) in excess of £125,000	15%	11.25%”.

#### **Amendments relating to clothing grants**

6.—(1) Schedule 1, part 3, paragraph 16 (clothing grants) of the 2015 Regulations is amended as follows.

(2) In sub-paragraph (3), for “£16,610” substitute “£17,844”, and for the table substitute—

<b><i>“(1)”</i></b>	<b><i>(2)</i></b>
<b><i>Relevant income</i></b>	<b><i>Maximum amount of clothing grant</i></b>
Does not exceed £15,667	£272
Exceeds £15,667 but does not exceed £16,398	£203
Exceeds £16,398 but does not exceed £17,100	£134
Exceeds £17,100 but does not exceed £17,844	£67”.

(3) In sub-paragraph (5), for “£15,917” substitute “£17,100”, and for the table substitute—

<b>“(1)”</b>	<b>“(2)”</b>
<b><i>Relevant income</i></b>	<b><i>Maximum amount of clothing grant</i></b>
Does not exceed £15,897	£105
Exceeds £15,897 but does not exceed £17,100	£56”.

**Amendments relating to school travel grants**

7.—(1) Schedule 1, part 3, paragraph 21 (amount of travel grants) of the 2015 Regulations is amended as follows.

(2) In sub-paragraph (1), for “£14,821” substitute “£15,922”.

(3) In sub-paragraph (2), for “£14,583” substitute “£15,667”.

St Andrew’s House,  
Edinburgh  
23rd April 2019

*JOHN SWINNEY*  
A member of the Scottish Government

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## EXPLANATORY NOTE

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

These Regulations amend the St Mary's Music School (Aided Places) (Scotland) Regulations 2015 ("the 2015 Regulations"). These Regulations come into force on 1 August 2019.

The 2015 Regulations provide for the payment of allowances to St Mary's Music School, Edinburgh, to reimburse it for its expenditure in respect of fees and charges remitted and grants made in operating the aided places scheme described in schedule 1 of those Regulations. These Regulations principally amend the remission levels in respect of boarders and day pupils who benefit from the aided places scheme.

Regulation 1 makes general provision for citation, commencement and interpretation.

Regulation 2 makes minor amendments to the 2015 Regulations in order to correct errors or clarify the meaning of existing provisions.

Regulation 3(2) corrects a drafting error. Regulation 3(3) and (4) amends the amount to be deducted from an applicant's relevant income in respect of each dependent child or other relative for the purposes of calculation of the applicant's relevant income.

Regulation 4(2) amends the income threshold below which no parental contribution is payable in respect of fees for boarders. Regulation 4(3) substitutes the table that sets out parental contribution levels for boarders by income band with two new tables, which will apply for the school year beginning in 2019 and school years beginning in 2020 and subsequent years, respectively.

Regulation 5(2) amends the income threshold below which no parental contribution is payable in respect of fees for day pupils. Regulation 5(3) substitutes the table that sets out parental contribution levels for day pupils by income band with two new tables, which will apply for the school year beginning in 2019 and school years beginning in 2020 and subsequent years, respectively.

Regulation 6(2) amends the parental income threshold below which an aided pupil is entitled to a clothing grant in the pupil's first year at the school, and substitutes the table setting out the maximum amount of clothing grant payable by income band. Regulation 6(3) does the same for any subsequent year of an aided pupil at the school.

Regulation 7(2) and (3) amends the parental income threshold below which an aided pupil is entitled to school travel grants.