
STATUTORY INSTRUMENTS

1977 No. 1443

EDUCATION, ENGLAND AND WALES

The Scholarships and Other Benefits Regulations 1977

<i>Made</i>	- - - -	<i>22nd August 1977</i>
<i>Laid before Parliament</i>		<i>2nd September 1977</i>
<i>Coming into Operation</i>		<i>1st October 1977</i>

The Secretary of State for Education and Science and the Secretary of State for Wales, in exercise of the powers conferred by section 81 of the Education Act 1944 (read with section 4 of the Education Act 1962 and section 5 of the Education Act 1976 and vested in them⁽¹⁾), hereby make the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Scholarships and Other Benefits Regulations 1977 and shall come into operation on 1st October 1977.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“authority” means local education authority;

“school” includes any school within the meaning of the Education Acts 1944 to 1976 and any course of instruction forming part only of, or conducted separately from, the work of a school.

(2) The Interpretation Act 1889 shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

(3) Except where the context otherwise requires, any reference in these Regulations to a Regulation is a reference to a Regulation contained in these Regulations and any reference in a Regulation to a paragraph is a reference to a paragraph of that Regulation.

Revocations

3. The Regulations specified in the Schedule hereto and Regulation 6 of the Direct Grant Grammar Schools (Cessation of Grant) Regulations 1975⁽²⁾ are hereby revoked.

(1) S.I. 1964/490, 1970/1536 (1964 I, p. 800; 1970 III, p. 5289).

(2) (1975 II, p. 4117).

Grants of scholarships and other benefits

4. Subject to Regulations 5 and 6, every authority may for the purpose of enabling pupils to take advantage without hardship to themselves or their parents of any educational facilities available to them—

- (a) defray such expenses of children attending county schools, voluntary schools or special schools, other than expenses in respect of clothing which the authority are authorised to provide by or under section 5 of the Education (Miscellaneous Provisions) Act 1948, as may be necessary to enable such children to take part in any school activities;
- (b) pay the whole of any approved tuition fees and the whole or part of any approved boarding or lodging fees which are related to the attendance at schools at which fees are payable of children in respect of whom grants are payable under Regulation 4 of the Direct Grant Schools Regulations 1959 (3); as amended(4);
- (c) defray the expenses payable in respect of any attendance referred to in paragraph (b);
- (d) pay the whole or part of the tuition fees, boarding or lodging fees and expenses which are related to the attendance at schools at which fees are payable of children in respect of whom no grant is payable under Regulation 4 of the Direct Grant Schools Regulations 1959, as amended;
- (e) grant scholarships, exhibitions, bursaries or other allowances in respect of—
 - (i) pupils over compulsory school age attending schools;
 - (ii) students pursuing correspondence courses in subjects of further education.

Restrictions on the making of payments

5.—(1) No payments shall be made under Regulation 4(d) except in accordance with arrangements which have been approved in writing by the Secretary of State:

Provided that this paragraph shall not apply to payments in respect of any child for whom a payment of a similar nature has been made before the coming into operation of these Regulations.

(2) The Secretary of State may by giving notice in writing to an authority revoke any approval given to that authority for the purpose of this Regulation.

6. No payment shall be made under these Regulations unless—

- (a) it is required to be made in order to prevent or relieve financial hardship;
- (b) except in the case of a payment under Regulation 4(e)(ii), the amount of the payment is related to the means of the parents of the pupil;
- (c) the authority is satisfied that the course of education to which the payment relates is suitable for the pupil.

(3) (1959 I, p. 1034).

(4) The relevant amending instruments are S.I. 1963/1379, 1973/1535 (1963 II, p. 2385; 1973 III, p. 4788). See also S.I. 1975/1198 (1975 II, p. 4117).

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Given under the Official Seal of the Secretary of State for Education and Science on 18th August 1977.

L.S.

Donaldson
Minister of State, Authorised by the Secretary of
State for Education and Science

Signed by authority of the Secretary of State for Wales on 22nd August 1977.

T. Alec Jones
Parliamentary Under-Secretary of State
Welsh Office

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SCHEDULE

REVOCATIONS

<i>Regulations revoked</i>	<i>References</i>
The Regulations for Scholarships and Other Benefits, 1945	S.R. & O. 1945/666 (1945 I, p. 340)
The Scholarships and Other Benefits Amending Regulations No. 1, 1948	S.I. 1948/688 (1948 I, p. 754)
The Scholarships and Other Benefits Amending Regulations No. 2, 1948	S.I. 1948/2223 (1948 I, p. 755)
The Scholarships and Other Benefits Amending Regulations 1964	S.I. 1964/1294 (1964 II, p. 2974)

EXPLANATORY NOTE

These Regulations consolidate with amendments the Regulations which empower local education authorities to make payments for the purpose of enabling pupils to take advantage of educational facilities without hardship.

The principal amendments are:—

- (a) children attending direct grant schools and in respect of whom no grants are payable under Regulation 4 of the Direct Grant Schools Regulations 1959 are placed in the same category as children attending other non-maintained schools;
- (b) payments in respect of children in this category are to be made in accordance with arrangements approved by the Secretary of State.