
 STATUTORY INSTRUMENTS

1987 No. 1365

EDUCATION, ENGLAND AND WALES

The State Awards (Amendment) Regulations 1987

<i>Made</i> - - - -	<i>28th July 1987</i>
<i>Laid before Parliament</i>	<i>7th August 1987</i>
<i>Coming into force</i>	<i>1st September 1987</i>

In exercise of the powers conferred on the Secretary of State by sections 3(b) and (c) and 4 of the Education Act 1962(a), I hereby make the following Regulations:

1. These Regulations may be cited as the State Awards (Amendment) Regulations 1987 and shall come into force on 1st September 1987.
2. In these Regulations a reference to the principal regulations is a reference to the State Awards Regulations 1978(b).
3. At the end of regulation 10(1) of the principal regulations there shall be added the following words—
 “save that no payment shall be made towards the expenditure described in sub-paragraph (b), (c) or (d) above if the holder is or would be a person who is eligible for a state award by virtue only of paragraph 2(1)(e) of Schedule 2.”
4. In paragraph 1(2) of Schedule 2 to the principal regulations there shall be added after the words “European Community” the words—
 “or in the territory comprising the European Community and (as regards any period prior to their accession to that Community) the Kingdom of Spain and the Portuguese Republic”.
5. There shall be added after paragraph 2(1)(d) of Schedule 2 to the principal regulations—
 “or (e) he is a national of a member state of the European Community not being such a person as is mentioned in sub-paragraph (c) or (d) above.”.
6. For paragraph 3(a) of Schedule 2 to the principal regulations there shall be substituted the following—
 “(a) unless he
 - (i) has been ordinarily resident in the United Kingdom and Islands throughout the period of three years preceding the relevant date; or
 - (ii) in the case of such a person as is mentioned in paragraph 2(1)(c) or (d) has been ordinarily resident for such period in the European Community; or
 - (iii) in the case of such a person as is mentioned in paragraph 2(1)(e) has been ordinarily resident for such period in the territory comprising the European Community and (as regards any period prior to their accession to that Community) the Kingdom of Spain or the Portuguese Republic (“the relevant territory”); or”.

(a) 1962 c.12; the relevant provisions, as amended, are set out in Schedule 5 to the Education Act 1980 (c.20).
 (b) S.I. 1978/1096, as amended by S.I. 1979/333, 1983/188 and 920.

7. In paragraph 3(b) of Schedule 2 to the principal regulations there shall be substituted for the words "or, as the case may be, the European Community" the words "the European Community, or the relevant territory, as the case may be,".

28th July 1987

Kenneth Baker
Secretary of State for Education and Science

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the State Awards Regulations 1978 by making European Community nationals who have ordinarily been resident in the European Community for 3 years (other than for education) eligible for an award consisting of payments towards fees for the course in respect of which it is bestowed. Ordinary residence in Spain or Portugal before their accession counts as ordinary residence in the Community for this purpose.