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STATUTORY INSTRUMENTS

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**1991 No. 1831**

**EDUCATION, ENGLAND AND WALES**

**The Education (Grants) (Music and Ballet Schools) (Amendment) Regulations 1991**

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|-------------------------------|---------|-------------------------|
| <i>Made</i>                   | - - - - | <i>7th August 1991</i>  |
| <i>Laid before Parliament</i> |         | <i>8th August 1991</i>  |
| <i>Coming into force</i>      | - -     | <i>30th August 1991</i> |

In exercise of the powers conferred by section 100(1) (b) and (3) of the Education Act 1944<sup>(1)</sup> and vested in the Secretary of State<sup>(2)</sup>, the Secretary of State for Education and Science hereby makes the following Regulations:

**1.**—(1) These Regulations may be cited as the Education (Grants) (Music and Ballet Schools) (Amendment) Regulations 1991 and shall come into force on 30th August 1991.

(2) These Regulations shall apply in relation to a school year beginning on or after the date mentioned in paragraph (1).

(3) In these Regulations—

(a) a reference to the principal Regulations is a reference to the Education (Grants) (Music and Ballet Schools) Regulations 1989<sup>(3)</sup>; and

(b) a reference to the Aided Pupil Scheme is a reference to the scheme described in Schedule 1 to the principal Regulations,

and the amendments to the Aided Pupil Scheme contained in these Regulations shall be made to Schedule 1 to the principal Regulations.

**2.**—(1) For paragraph (2) of regulation 4 of the principal Regulations there shall be substituted the following paragraph—

“(2) Where a custodianship order made under section 33 of the Children Act 1975<sup>(4)</sup> or a residence order within the meaning of section 8(1) of the Children Act 1989<sup>(5)</sup> is in force in respect of a child or pupil, his custodian, or the person with whom he is to live in

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(1) 1944 c. 31; section 100(1)(b) was amended by section 213(3) of the Education Reform Act 1988 (c. 40).

(2) S.I. 1964/490, 1970/1536, 1978/274.

(3) S.I. 1989/1236, amended by S.I. 1990/1548.

(4) 1975 c. 72; section 33 was amended by the Family Law Act 1986 (c. 55), Schedule 1, paragraph 19 and Schedule 2; and by the Family Law Reform Act 1987 (c. 42), Schedule 2, paragraph 60.

(5) 1989 c. 41.

accordance with the residence order (as the case may be), and the spouse (if any) of the custodian or that person shall be treated as the parents of the child or pupil for the purpose of these Regulations.”.

(2) In paragraph (3)(b) of regulation 4 of the principal Regulations after the words “section 88 of the Children Act 1975” there shall be inserted the words “(or, following the repeal of that section, of section 105(1) of the Children Act 1989)”.

3. In the principal Regulations after Part IIA (grant to the Royal Ballet School for the provision of Ballet Dancing in the Upper Division) there shall be inserted the following Part—

## “Part IIB

### GRANT TO CHOIR SCHOOLS AND THE CHOIR SCHOOLS' ASSOCIATION BURSARY TRUST

#### **Grant in respect of choristers**

**8D.**—(1) Subject to the provisions of this Part, the Secretary of State may, in respect of each school year, pay grant to—

- (a) the choir schools at Ripon, Salisbury and Westminster Cathedral (“the specified choir schools”); and
- (b) the Choir Schools' Association Bursary Trust (“the trust”)

in respect of their expenditure, incurred or to be incurred, in connection with the provision of education to pupils to whom paragraph (2) applies.

(2) This paragraph shall apply to pupils who—

- (a) are admitted as choristers to one of the specified choir schools or one of the choir schools listed in Schedule 2A on or after 1st September 1991;
- (b) are aged between 8 and 13;
- (c) are considered by the specified choir school to which they are admitted or by the trust (as the case may be) to be capable of benefiting from the education provided.

#### **Conditions of residence applicable to grant**

**8E.**—(1) Payment of such grant shall only be made in respect of pupils who meet the conditions of residence set out in paragraph 2 of Schedule 1 to these Regulations, as modified by paragraph (2) below.

(2) For the purposes of this Regulation, sub-paragraph (1)(a) of and the references to “the relevant date” in paragraph 2 of Schedule 1 shall be read as referring to 1st January in the calendar year in which the school year, in respect of which grant is to be paid under this Part, begins, and the reference in sub-paragraph (1)(b) to “the relevant two year period” as referring to the period of two years preceding that date.

#### **Amount of grant**

**8F.** The amount of grant payable by the Secretary of State under this Part in respect of any school year shall, subject to paragraph (2), be such amount as he may determine after consultation with the specified choir schools and the trust.

## Accounts

**8G.** The specified choir schools and the trust shall keep such records and accounts and furnish to the Secretary of State such information, documents, returns and accounts as the Secretary of State may from time to time require.”

4. In paragraph 58(3) and 8(4) of the Aided Pupil Scheme (references to income) for the sum “£1,000” there shall be substituted the sum “£1,065” in each place where it occurs.

5. In paragraph 13 of the Aided Pupil Scheme (remission of fees—boarding pupils)—

(a) in sub-paragraph (2) for the sum “£7,059” there shall be substituted the sum “£7,501”;

(b) for the Table in sub-paragraph (3) there shall be substituted the following Table—

“Table

| (1)<br>Part of the relevant<br>income to which specified<br>percentage applies | (2)<br>Only aided pupil | (3)<br>Each of two aided pupils |
|--|-------------------------|---------------------------------|
| That part which exceeds<br>£7,352 but does not exceed<br>£9,280                | 10%                     | 7.5%                            |
| That part (if any) which<br>exceeds £9,280 but does<br>not exceed £13,040      | 20%                     | 15%                             |
| That part (if any) which<br>exceeds £13,040                                    | 12.5%                   | 7.5%”.                          |

6. In sub-paragraphs (2) and (3) of paragraph 14 of the Aided Pupil Scheme (remission of fees—day pupils) for the sums “£8,871” and “£8,722” there shall be substituted the sums “£9,429” and “£9,280” respectively.

7. For sub-paragraphs (3) and (4) of paragraph 17 of the Aided Pupil Scheme (uniform grants) there shall be substituted the following sub-paragraphs—

“(3) Unless an aided pupil has been a pupil at the school before taking up an aided place, in a pupil’s first year at the school uniform grant shall be payable in the case of an aided pupil as respects whom the relevant income does not exceed £9,737 and in such case the grant shall be of an amount equal to so much of the clothing expenditure as does not exceed—

(a) £149, where the relevant income does not exceed £8,548;

(b) £112, where that income exceeds £8,548 but does not exceed £8,945;

(c) £73, where that income exceeds £8,945 but does not exceed £9,330;

(d) £37, where that income exceeds £9,330 but does not exceed £9,737:

Provided that any uniform grant which would fall to be paid in pursuance of this sub-paragraph in an aided pupil’s first year at the school may be paid during the period commencing on 30th August 1991 and ending when that year begins.

(4) Except where sub-paragraph (3) applies, uniform grant shall be payable in the case of an aided pupil as respects whom the relevant income does not exceed £9,330 and in such case the grant 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) £55, where the relevant income does not exceed £8,714;
- (b) £28, where that income exceeds £8,714 but does not exceed £9,330.”.

8. In sub-paragraph (1) of paragraph 23 of the Aided Pupil Scheme (school travel grants) for the sums “£8,213” and “£8,034” there shall be substituted the sums “£8,727” and “£8,548” respectively.

9. A new paragraph 24 shall be inserted in the Aided Pupil Scheme as follows—

**“Remission of charges for field study courses**

24.—(1) In this paragraph a field study course means a course of field study (provided by the school or otherwise) which forms part of a normal course of study at a school for the examinations for the General Certificate of Secondary Education, the ordinary or advanced level examinations for the General Certificate of Education or other examinations comparable to any of them, being examinations in—

- (a) biology;
- (b) botany;
- (c) geography;
- (d) geology;
- (e) zoology, or
- (f) any other subject approved for the purposes hereof by the Secretary of State;

and a reference to a relevant examination shall be construed accordingly.

(2) A school shall remit the whole of any charges they would otherwise make in respect of the participation in a field study course of an aided pupil if—

- (a) he is a candidate or a prospective candidate for a relevant examination, and
- (b) his parents are entitled, under paragraph 13 or 14, to remission of fees, in whole or in part, for the school year in which the course is held.”

10. In paragraph 3 of the Appendix to the Aided Pupil Scheme (computation of income)—

- (a) at the end of sub-paragraph (1) the word “or” shall be deleted;
- (b) at the end of sub-paragraph (m) the word “or” shall be inserted;
- (c) after sub-paragraph (m) there shall be inserted the following sub-paragraph—

“(n) in pursuance of section 25 of the Finance Act 1990<sup>(6)</sup> (relief for donations to charity by individuals),”.

11. In the principal Regulations after Schedule 2 (conditions of payment of grant) there shall be inserted the following Schedule—

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(6) 1990 c. 29.

SCHEDULE 2A

Regulation 8D(2) (a)

CHOIR SCHOOLS

“King’s College School, Cambridge  
St. John’s College School, Cambridge  
The Prebendal School, Chichester  
The Chorister School, Durham  
King’s School, Ely  
The Cathedral School, Exeter  
Lanesborough School, Guildford  
Lichfield Cathedral School, Lichfield  
The Cathedral School, Lincoln  
St. Paul’s Cathedral Choir School, London  
Westminster Abbey Choir School, London  
Christ Church Cathedral School, Oxford  
New College School, Oxford  
St Mary’s Choir School, Reigate  
The Abbey School, Tewkesbury  
Queen Elizabeth Grammar School, Wakefield  
The Pilgrims' School (Winchester College), Winchester  
St. George’s School, Windsor  
York Minster School, York  
Bristol Cathedral School, Bristol  
St. Edmund’s Junior School, Canterbury  
King’s School, Gloucester  
St. James' School, Grimsby  
The Cathedral School, Hereford  
St. Edward’s College, Liverpool  
Norwich School, Norwich  
Magdalen College School, Oxford  
The King’s School, Peterborough  
King’s School, Rochester  
The Minster School, Southwell  
Wells Cathedral School, Wells  
King’s School, Worcester”

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed by authority of the Secretary of State for Education and Science

7th August 1991

*Michael Fallon*  
Parliamentary Under Secretary of State,  
Department of Education and Science

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### EXPLANATORY NOTE

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

These Regulations amend the Education (Grants) (Music and Ballet Schools) Regulations 1989. They come into force on 30th August 1991 and apply to a school year beginning on or after that date.

Paragraphs (2) and (3)(b) of regulation 4 of the 1989 regulations are amended to take account of the introduction of residence orders under the Children Act 1989 and the repeal of the Children Act 1975 by the 1989 Act (regulation 2).

The Secretary of State is empowered to pay grant to the choir schools at Salisbury, Westminster and Ripon and to the Choir Schools' Association Bursary Trust in respect of education provided to choristers aged between 8 and 13 who are admitted to one of the three specified choir schools or to one of the other listed choir schools on or after 1st September 1991 (regulations 3 and 11).

The reductions to be made in relevant income in respect of dependent relatives pursuant to paragraphs 8(3) and (4) of the Aided Pupil Scheme (Schedule 1 to the 1989 Regulations) are increased so that the minimum reduction is now set at £1,065 in place of £1,000 (regulation 4).

The means tests in the Aided Pupils' Scheme for the remission of fees and uniform and school travel grants are relaxed (regulations 5, 6, 7 and 8).

A new provision has been inserted to cover remission of charges for field study courses (regulation 9).

References to the relevant income tax legislation in paragraph 3 of the Appendix to the Aided Pupil Scheme are updated so as to discount deductions from total income allowed on donations to Charity by individuals under the Gift Aid Scheme (regulation 10).