
STATUTORY INSTRUMENTS

1992 No. 1662

EDUCATION, ENGLAND AND WALES

The Education (Grants) (Music and Ballet Schools) (Amendment) Regulations 1992

<i>Made</i>	- - - -	<i>9th July 1992</i>
<i>Laid before Parliament</i>		<i>15th July 1992</i>
<i>Coming into force</i>	- -	<i>28th August 1992</i>

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

1.—(1) These Regulations may be cited as the Education (Grants) (Music and Ballet Schools) (Amendment) Regulations 1992 and shall come into force on 28th August 1992.

(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⁽⁴⁾; 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. In regulation 8D(1)(a) of the principal Regulations, after the words “the choir schools at” there shall be inserted the words “Durham and Exeter”.

3. For sub-paragraph (3) of paragraph 2 of the Aided Pupil Scheme there shall be substituted the following paragraph—

“(3) The child who is a refugee referred to in paragraph (1)(c) is—

(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) By virtue of article 5 of the Transfer of Functions (Science) Order 1992 (S.I. 1992/1296), the Secretary of State for Education and Science is, with effect from 6th July 1992, known by the style and title of “the Secretary of State for Education”.

(4) S.I. 1989/1236, amended by S.I. 1990/1548 and S.I. 1991/1831.

- (a) a child recognised by Her Majesty’s Government as a refugee within the meaning of the United Nations Convention relating to the Status of Refugees done at Geneva on 28th July 1951⁽⁵⁾ as extended by the Protocol thereto which entered into force on 4th October 1967⁽⁶⁾;
- (b) a child who has been informed in writing by a person acting under the authority of the Secretary of State for the Home Department that, although he is considered not to qualify for recognition as a refugee, it is thought right to allow him to enter or remain in the United Kingdom, and has been granted leave to enter or remain accordingly; or
- (c) a child who is the child of a person who is so recognised or has been granted leave to enter or remain in such circumstances”.

4. At the end of paragraph 5 of the Aided Pupil Scheme, there shall be inserted the words “or a deed of separation”.

5. For sub-paragraphs (3) and (4) of paragraph 8 of the Aided Pupil Scheme (references to income) there shall be substituted the following paragraphs—

“(3) Subject to sub-paragraph (4), the relevant income, calculated as aforesaid, shall be reduced by £1,105 in respect of each person other than the aided pupil who—

- (a) at the time the relevant income is calculated, is wholly or mainly dependent on the parents or on payments made to him or for his benefit by one or both of them, and
- (b) is a child or other relative of one or both of the parents:

Provided that, for the purposes of sub-paragraph (a), there shall be disregarded payments, other than sums paid as mentioned in paragraph 3(f) of the Appendix hereto, which fall to be deducted in ascertaining total income for income tax purposes and, accordingly, are taken into account in calculating relevant income in pursuance of sub-paragraph (1).

(4) Where a child (other than the aided pupil) who is wholly or mainly dependent on the parents or payments made to him or for his benefit by one or both of them is the holder of an award of a kind described in sub-paragraph (5) and there has been deducted, in calculating the amount of that award, a sum exceeding £1,105 in respect of the parental contribution which is assumed to be available as part of the resources of that child, that sum shall be deducted from the relevant income in lieu of the £1,105 prescribed in respect of that child by sub-paragraph (3).”

6. At the end of paragraph 10(2) of the Aided Pupil Scheme, there shall be inserted the words “or a deed of separation”.

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

- (a) in sub-paragraph (2), for the sum “£7,501” there shall be substituted the sum “£7,795”;
- (b) for the Table in sub-paragraph (3), there shall be substituted the following Table—

⁽⁵⁾ Cmnd. 9171.

⁽⁶⁾ Cmnd. 3906 (out of print): photocopies of the English text are available, free of charge, from Schools 4 Branch, Department of Education [and Science], Sanctuary Buildings, Great Smith Street, London SW1P 3BT.

“Table

(1) Part of the relevant income to which the specified percentage applies	(2) Only aided pupil	(3) Each of two aided pupils
That part which exceeds £7,646 but does not exceed £9,651	10%	7.5%
That part (if any) which exceeds £9,651 but does not exceed £13,562	20%	15%
That part (if any) which exceeds £13,562	12.5%	7.5%”

8. In paragraphs 14(2) and (3) of the Aided Pupil Scheme, for the sums of “£9,429” and “£9,280” there shall be substituted the sums of “£9,800” and “£9,651” respectively.

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

“(2) 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 £10,126 and in such case the grant shall be of an amount equal to so much of the clothing expenditure as does not exceed—

- (a) £155, where the relevant income does not exceed £8,890;
- (b) £116, where that income exceeds £8,890 but does not exceed £9,303;
- (c) £76, where that income exceeds £9,303 but does not exceed £9,703;
- (d) £38, where that income exceeds £9,703 but does not exceed £10,126:

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 28th August 1992 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 £9,703 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) £57, where the relevant income does not exceed £9,056;
- (b) £29, where the income exceeds £9,056 but does not exceed £9,703.”.

10. In sub-paragraph (1) of paragraph 23 of the Aided Pupil Scheme (school travel grants) for the sums “£8,727” and “£8,548” there shall be substituted the sums “£9,069” and “£8,890” respectively.

11. In paragraph 3 of the Appendix to the Aided Pupil Scheme—

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

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

“(o) in pursuance of sections 32 and 33 of the Finance Act 1992(7) (relief for vocational training)”.

12. The following shall be omitted from the list of Choir Schools in Schedule 2A to the principal Regulations—

“The King’s School, Peterborough
The Minister School, Southwell”.

9th July 1992

John Patten
Secretary of State for Education

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which come into force on 28th August 1992, amend the Education (Grant) (Music and Ballet Schools) Regulations 1989.

The Choir schools at Durham and Exeter are included in the choir schools specified by regulation 8D(1)(a) of the 1989 Regulations. Two schools are omitted from the list of Choir Schools in Schedule 2A to those Regulations (regulations 2 and 12).

Redundant wording relating to the grant of asylum in circumstances where this is no longer done has been removed (regulation 3).

Provisions in paragraphs 5 and 10(2) of Schedule 1 to the 1989 Regulations (the Aided Pupil Scheme) relating to fees required to be paid in pursuance of an order of a court are extended to cover fees required to be paid in pursuance of a deed of separation (regulations 4 and 6).

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 are increased so that the minimum reduction is now set at £1,105 in place of £1,065 (regulation 5).

The means test for the remission of fees is relaxed; the level at income at or below which fees are to be wholly remitted is set at £7,795 instead of £7,501 in respect of boarding pupils and £9,800 instead of £9,429 in respect of day pupils, with corresponding increases in the extent of remission where relevant income exceeds that sum (regulations 7 and 8). The means tests for uniform grants and school travel grants have also been relaxed (regulations 9 and 10).

References to the relevant income tax legislation the Appendix to the Aided Pupil Scheme are updated so as to discount deductions from total income allowed on fees for vocational training (regulation 11).