
STATUTORY INSTRUMENTS

2002 No. 3060

EDUCATION, ENGLAND AND WALES

**The Education (Mandatory Awards)
(Amendment) (No. 2) Regulations 2002**

Made - - - - *11th December 2002*
Laid before Parliament *13th December 2002*
Coming into force - - *3rd January 2003*

The Secretary of State for Education and Skills, in exercise of the powers conferred by sections 1 and 4(2) of, and paragraphs 3 and 4 of Schedule 1 to, the Education Act 1962⁽¹⁾, and by sections 3(1) and (3) of the Education Act 1973⁽²⁾, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Education (Mandatory Awards) (Amendment) (No. 2) Regulations 2002 and shall come into force on 3rd January 2003.

2. The Education (Mandatory Awards) Regulations 2002⁽³⁾ shall be amended in accordance with these Regulations.

3.—(1) Schedule 2 shall be amended as follows.

(2) In paragraph 12(1) in the definition of “income” for sub-paragraph (b) substitute—

“(b) child benefit payable under Part IX of the Social Security Contributions and Benefits Act 1992⁽⁴⁾ and any child tax credit to which he is entitled under Part I of the Tax Credits Act 2002⁽⁵⁾”.

(3) In paragraph 15(1)(b) and 15(3) for “a city technology college or a city college for the technology of the arts or a city academy” substitute “an Academy⁽⁶⁾”.

(1) 1962 c. 12; the relevant provisions, as amended, are set out in Schedule 5 of the Education Act 1980 (c. 20); section 1(3)(d) was amended by the Education (Grants and awards) Act 1984 (c. 11), section 4; section 4 was amended by the Education Act 1994 (c. 30), Schedule 2, paragraph 2; the entire Act was repealed by the Teaching and Higher Education Act 1998 (c. 30), section 44(2) and Schedule 4, subject to the saving and transitional provisions set out in the Teaching and Higher Education Act 1998 (Commencement No. 4 and Transitional Provisions) Order 1998 (S.I.1998/3237) (c. 81), article 3.

(2) 1973 c. 16.

(3) S.I. 2002/1330, amended by S.I. 2002/2089.

(4) 1992 c. 4.

(5) 2002 c. 21.

(6) 1996 c. 56; references to city colleges established pursuant to section 482 of the Education Act 1996 (c. 56) have as a result of amendments made to that section by section 65 of the Education Act 2002 (c. 32) been replaced by references to Academics.

4.—(1) Schedule 3 shall be amended as follows—

(2) In paragraph 1(1) for sub-paragraph (o) substitute—

“(o) income support or working families' tax credit under Part VII of the Social Security Contributions and Benefits Act 1992 or any child tax credit or working tax credit under Part I of the Tax Credits Act 2002;”.

(3) In the definition of “financial year” in paragraph 2(1) for “subject to paragraph (3)” substitute “subject to sub-paragraph (2)”.

(4) In the definition of “residual income” in paragraph 2(1) for “subject to sub-paragraph (2)” substitute “subject to sub-paragraph (3),”.

11th December 2002

Margaret Hodge
Minister of State
Department for Education and Skills

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Mandatory Awards) Regulations 2002.

Paragraph 12(1)(b) of Schedule 2 to the Regulations has been amended to provide that child tax credit will be disregarded from a dependant's income in relation to his maintenance.

Paragraph 15(1)(b) and 15(3) of Schedule 2 to the Regulations have replaced references to city colleges with references to Academies as a result of amendments made to section 482 of the Education Act 1996 (c. 56) by section 65 of the Education Act 2002 (c. 32).

Paragraph 1(1)(o) of Schedule 3 has been amended to provide that child tax credit and working tax credit will be disregarded from a student's income for the purposes of the award of a maintenance grant.

The amendments to paragraph 2(1) of Schedule 3 correct drafting errors.