

**EXPLANATORY MEMORANDUM TO
THE EDUCATION (GRANTS ETC.) (DANCE AND DRAMA) (ENGLAND)
(AMENDMENT) (NO 2) REGULATIONS 2005**

2005 No. 3436

1. This explanatory memorandum has been prepared by the Department for Education and Skills and is laid before Parliament by Command of Her Majesty.

2. Description

This instrument amends the Education (Grants etc.) (Dance and Drama) (England) Regulations 2001, S.I. 2001/2857, by updating the institutions designated to take part in the grant scheme established by those regulations, altering the total number of awards that can be made and also the total grant moneys payable. It also makes provision to enable the selection of a substituted student to be made from a different cohort of students, where necessary. It also takes account of the European Court of Justice judgement in **Bidar**, by modifying the residence eligibility criteria for EU students who have satisfied a residence requirement in the United Kingdom and Islands.

3. Matters of special interest to the Joint Committee on Statutory Instruments

None

4. Legislative Background

The grant scheme is one of a number established under s.485 of the Education Act 1996 which allows the Secretary of State to make grants in aid of educational services, the principal regulations being amended having been in place since 2001.

5. Extent

This instrument applies to England.

6. European Convention on Human Rights

Bill Rammell MP has made the following statement regarding Human Rights:

In my view the provisions of the Education (Grants etc.) (Dance and Drama) (England) (Amendment) (No.2) Regulations 2005 are compatible with the Convention rights.

7. Policy background

7.1 The Dance and Drama Awards are scholarships funded by the Department for Education and Skills. They were introduced to provide national scholarships for the

most talented dance and drama students. They offer greatly reduced tuition fees and help with living and learning costs at some of the leading private Dance and Drama training providers in England.

7.2 The awards give all students the chance to compete for a high quality training place whatever their financial circumstances. The awards are offered to students by their provider on the basis of talent demonstrated at audition.

8. Impact

A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

9. Contact

Glenna Pryor at the Department for Education and Skills Tel: 0114 2591772 or e-mail: Glenna.pryor@dfes.gsi.gov.uk can answer any queries regarding the instrument.