
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and re-enact, with some changes, the Local Education Authority (Post-Compulsory Education Awards) Regulations 1999 in relation to local education authorities (LEAs) in Wales.

The changes made are consequent upon the introduction of the Assembly Learning Grant Scheme. Under that Scheme the National Assembly reimburses expenditure by LEAs on the payment of those post-compulsory education awards which are known as Assembly Learning Grants, to those attending courses of further or higher education, who satisfy the conditions as to financial resources and other eligibility criteria of the Scheme.

The power given to LEAs by the previous regulations, to make a scholarship, exhibition, bursary or other award to an “eligible person”, that is, a person over compulsory school age, continues. Such an award may be granted for the purpose of enabling an eligible person to take advantage of certain educational facilities available to him or her, namely secondary education provided at a school, or a course of further or higher education. The previous regulations prohibited awards to those eligible for financial support under section 22 of the Teaching and Higher Education Act 1998 and this prohibition is continued, but is disapplied in respect of Assembly Learning Grants.

The previous regulations required each LEA to make a determination in respect of each financial year as to whether it would apply its power to make post-compulsory education awards in that year and if so, to what extent. That requirement continues, as does the requirement to bring any such determination to the attention of those likely to be affected by it. The determination does not affect any obligation of that LEA to make payments under awards granted before it took effect. However, LEAs have no powers to make such a determination in respect of Assembly Learning Grants.