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WELSH STATUTORY INSTRUMENTS

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**2004 No. 1812 (W.197)**

**EDUCATION, WALES**

**The Education (Assisted Places)  
(Amendment) (Wales) Regulations 2004**

*Made* - - - - *13th July 2004*

*Coming into force* - - *1st September 2004*

The National Assembly for Wales, having consulted, in accordance with section 3(7) of the Education (Schools) Act 1997<sup>(1)</sup>, such bodies as appear to it to be appropriate and representative of schools which provide assisted places under section 2(1) of that Act, makes the following Regulations in exercise of the powers conferred on the Secretary of State by section 3(1), (2), (5) and (9) of that Act and now vested in the National Assembly for Wales<sup>(2)</sup>:

**Name, commencement and application**

1.—(1) These Regulations are called the Education (Assisted Places) (Amendment) (Wales) Regulations 2004 and come into force on 1st September 2004.

(2) These Regulations apply to Wales only.

(3) These Regulations apply in relation to any school year beginning on or after 1st September 2004.

**Amendment of the Education (Assisted Places) Regulations 1997**

2.—(1) The Education (Assisted Places) Regulations 1997<sup>(3)</sup> are amended as follows.

(2) In regulation 10(4) and (6), for “£1,500” in each place where it appears there is substituted “£1,540”.

(3) In paragraph 1 of Schedule 2, for “£11,626” there is substituted “£11,935”.

(4) For the table following paragraph 2(1) of that Schedule there is substituted the following table—

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(1) 1997 c. 59. Section 3 is amended by section 130 of the School Standards and Framework Act 1998 (c. 31).  
(2) The functions of the Secretary of State under section 3 were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).  
(3) S.I. 1997/1968, amended by S.I. 1998/1726, S.I. 1998/1966, S.I. 1999/1504, S.I. 2000/1938 (W.136), S.I. 2001/2680 (W.221), S.I. 2002/1879 (W.188) and S.I. 2003/1854 (W.204).

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*Status: This is the original version (as it was originally made).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

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“TABLE

<i>(1) Part of relevant income to which specified percentage applies</i>	<i>(2) Only assisted pupil (%)</i>	<i>(3) Each of two assisted pupils (%)</i>	<i>(4) Each of three assisted pupils (%)</i>
That part (if any) which exceeds £11,769 but does not exceed £12,797	9	6.75	5.25
That part (if any) which exceeds £12,797 but does not exceed £13,842	12	9	7
That part (if any) which exceeds £13,842 but does not exceed £15,913	15	11.25	8.75
That part (if any) which exceeds £15,913 but does not exceed £19,108	21	15.75	12.25
That part (if any) which exceeds £19,108 but does not exceed £23,272	24	18	14
That part (if any) which exceeds £23,272	33	24.75	19.25”

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(4).

13th July 2004

*D. Elis-Thomas*  
The Presiding Officer of the National Assembly

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## EXPLANATORY NOTE

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

These Regulations amend the Education (Assisted Places) Regulations 1997 (“the 1997 Regulations”) in respect of a school year beginning on or after 1st September 2004. The 1997 Regulations prescribe arrangements for pupils who are eligible to continue to hold assisted places at independent schools by virtue of section 2 of the Education (Schools) Act 1997, notwithstanding the abolition of the assisted places scheme by section 1 of that Act.

The deduction to be made in “relevant” income in respect of dependent relatives under regulation 10(4) and (6) of the 1997 Regulations is increased from £1,500 to £1,540.

Where “relevant” income is at or below a particular level, fees are to be wholly remitted. That level is increased from £11,626 to £11,935, with corresponding increases in the extent of the remission where “relevant” income exceeds that sum.