
WELSH STATUTORY INSTRUMENTS

2005 No. 2837 (W.201)

EDUCATION, WALES

The Education (Assisted Places) (Incidental Expenses) (Amendment) (Wales) Regulations 2005

Made - - - - *11 October 2005*

Coming into force - - *14 October 2005*

The National Assembly for Wales makes the following Regulations under the powers conferred on the Secretary of State by section 3(3), (4), (5) and (9) of the Education (Schools) Act 1997⁽¹⁾ and now exercisable by the National Assembly for Wales⁽²⁾:

Title, commencement and application

1.—(1) The title of these Regulations is the Education (Assisted Places) (Incidental Expenses) (Amendment) (Wales) Regulations 2005 and they come into force on 14 October 2005.

(2) These Regulations apply in relation to Wales in respect of a relevant question.

(3) In paragraph (2) above, a “relevant question” means a question under the Education (Assisted Places) (Incidental Expenses) Regulations 1997 as to whether the parents of an assisted pupil are entitled to a uniform grant under Part II, or a travel grant under Part III, of those Regulations which—

(a) arises in respect of a school year beginning on or after 1 September 2005; and

(b) has not been determined at the date on which these Regulations come into force.

Amendment of the Education (Assisted Places) (Incidental Expenses) Regulations 1997

2.—(1) The Education (Assisted Places) (Incidental Expenses) Regulations 1997⁽³⁾ are amended as follows.

(2) In regulation 2(2), for “£12,846” there is substituted “£13,116”.

(3) For regulation 2(3)(a) and (b) there is substituted—

“(a) £81 where the relevant income does not exceed £12,182; and

(1) 1997 c. 59. Section 3 was 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 are exercisable by the National Assembly for Wales in relation to Wales: *see* Article 2 of, and the entry in respect of the Education (Schools) Act 1997 in Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).
(3) S.I. 1997/1969, amended by S.I. 1998/1585, S.I. 1999/1505, S.I. 2000/1939 (W.137), S.I. 2001/2708 (W.227), S.I. 2002/1880 (W.189), S.I. 2003/1779 (W.193) and S.I. 2004/1807 (W.195).

- (b) £42 where that income exceeds £12,182 but does not exceed £13,116.”.
- (4) In regulation 4—
 - (a) in paragraph (3), for “£11,948” there is substituted “£12,195”; and
 - (b) in paragraph (4)—
 - (i) for “£11,948” there is substituted “£12,195”, and
 - (ii) for “£11,769” there is substituted “£12,016”.

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

11 October 2005

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Assisted Places) (Incidental Expenses) Regulations 1997 (“the 1997 Regulations”) for the purposes of a “relevant question”. This is a question under the 1997 Regulations as to whether the parents of an assisted pupil are entitled to a uniform grant under Part II, or a travel grant under Part III, of the 1997 Regulations which arises in respect of a school year beginning on or after 1st September 2005 and has not been determined at the date on which these Regulations come into force.

The 1997 Regulations provide for the payment of grants as regards incidental expenses, and for the remission of incidental expenses, in respect of pupils 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.

These Regulations relax the uniform and travel grants means tests (set out in regulation 2 and 4 of the 1997 Regulations respectively) and increase the amount of grant payable.