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STATUTORY INSTRUMENTS

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**1987 No. 1366 (S.100)**

**EDUCATION, SCOTLAND**

**The Education Authority Bursaries  
(Scotland) Amendment Regulations 1987**

<i>Made</i>	- - - -	<i>30th July 1987</i>
<i>Laid Before Parliament</i>		<i>4th August 1987</i>
<i>Coming into force</i>	- -	<i>18th August 1987</i>

The Secretary of State, in exercise of the powers conferred upon him by section 49 of the Education (Scotland) Act 1980<sup>(1)</sup> and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Education Authority Bursaries (Scotland) Amendment Regulations 1987 and shall come into force on 18th August 1987.

**Interpretation**

2. In these Regulations, the “principal Regulations” means the Education Authority Bursaries (Scotland) Regulations 1986<sup>(2)</sup> and “bursary” and “payment period” shall have the meanings assigned to them in the principal Regulations.

**Amendment of principal Regulations**

3. The principal Regulations shall be amended as follows:—

- (a) in regulation 2(1) (interpretation) after sub-paragraph (a) there shall be inserted the following sub-paragraph:—
  - “(aa) “British Islands” means the United Kingdom, the Channel Islands and the Isle of Man;”;
- (b) in regulation 4(2) at the end there shall be added the words “except in the circumstances specified in paragraph (2A)”;
- (c) after regulation 4(2) there shall be inserted the following paragraph:—

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<sup>(1)</sup> 1980 c. 44.

<sup>(2)</sup> S.I.1986/1227.

“(2A) A relevant power may be exercised in relation to a person who is a national or a child of a national of a member state of the European Community (the Kingdom of Spain and the Portuguese Republic being deemed for the purpose of this paragraph and of the application of Schedule 1 in relation to this paragraph to have been member states of the European Community from 1st September 1983) and who does not fulfil any of the requirements specified in paragraph (3) where that person fulfils the requirements specified in paragraph 2(1)(e) of Schedule 1, but in such a case the bursary payable may only include sums in respect of tuition and other fees.”;

- (d) in regulation 8(1)(c) (assessment of full-time further education bursaries) there shall be substituted for the sum of “£1,380” the sum of “£2,000” and there shall be substituted for the sum of “£460” the sum of “£491” in each place where they occur;
- (e) in Schedule 1 (further requirements regarding eligibility for bursary)—
  - (i) in paragraph 1(3), for the words “paragraph 2(1)(a) or (b)” there shall be substituted the words “paragraph 2(1)(a), (b) or (e)”;
  - (ii) in paragraph 1(4), for the words “paragraph 2(1)(a) or (b)” there shall be substituted the words “paragraph 2(1)(a), (b) or (e)”;
  - (iii) in paragraph 2(1)(a), for the words “paragraphs (b), (c) and (d)” there shall be substituted the words “sub-paragraph (1)(b), (c), (d) and (e) below”;
  - (iv) in paragraph 2(1), at the end there shall be added the following:—
    - “(e) in the case of a person mentioned in regulation 4(2A), that—
      - (i) he is seeking a bursary in respect of a course of study in the area of the education authority proposing to exercise the relevant power;
      - (ii) he has been ordinarily resident in the European Community in accordance with sub-paragraph (2) throughout the period of 3 years preceding the relevant date; and
      - (iii) he does not fulfil any of the requirements specified in regulation 4(3)(a) to (d) in relation to the area of any other education authority in Scotland and would not fulfil any of them, if they applied, in relation to the area of any local education authority in England and Wales or any comparable award-making authority in any other part of the British Islands.”;
  - (v) in paragraph 2(2), for the words “sub-paragraphs (1)(a) and (b)” there shall be substituted the words “sub-paragraph (1)(a), (b) and (e)”;
  - (vi) in paragraph 2(3), for the words “sub-paragraph (1)(a) and (b)” there shall be substituted the words “sub-paragraph (1)(a), (b) and (e)” and for the words “sub-paragraph (1)(a) or (b)” there shall be substituted the words “sub-paragraph (1)(a), (b) or (e)”.
- (f) in Schedule 2 (assessment of higher school bursaries)—
  - (i) in paragraph 1 for the Table there specified, there shall be substituted the following Table:—

“Balance of income Column (1)	Rate of sum to be paid Column (2)
£4240 and under	£590 per payment period of 12 months
£4241 - £4290	£575 per payment period of 12 months
£4291 - £4340	£560 per payment period of 12 months

“Balance of income Column (1)	Rate of sum to be paid Column (2)
£4341 - £4390	£545 per payment period of 12 months
£4391 - £4440	£530 per payment period of 12 months
£4441 - £4490	£515 per payment period of 12 months
£4491 - £4540	£500 per payment period of 12 months
£4541 - £4590	£485 per payment period of 12 months
£4591 - £4640	£470 per payment period of 12 months
£4641 - £4690	£455 per payment period of 12 months
£4691 - £4740	£440 per payment period of 12 months
£4741 - £4790	£425 per payment period of 12 months
£4791 - £4840	£410 per payment period of 12 months
£4841 - £4890	£395 per payment period of 12 months
£4891 - £4940	£380 per payment period of 12 months
£4941 - £4990	£365 per payment period of 12 months
£4991 - £5040	£350 per payment period of 12 months
£5041 - £5090	£335 per payment period of 12 months
£5091 - £5140	£320 per payment period of 12 months
£5141 - £5190	£305 per payment period of 12 months
£5191 - £5240	£290 per payment period of 12 months
£5241 - £5290	£275 per payment period of 12 months
£5291 - £5340	£260 per payment period of 12 months
£5341 - £5390	£245 per payment period of 12 months
£5391 - £5440	£230 per payment period of 12 months
£5441 - £5490	£215 per payment period of 12 months
£5491 - £5540	£200 per payment period of 12 months
£5541 - £5590	£185 per payment period of 12 months
£5591 - £5640	£170 per payment period of 12 months
£5641 - £5690	£155 per payment period of 12 months
£5691 - £5740	£140 per payment period of 12 months
£5741 - £5790	£125 per payment period of 12 months
£5791 - £5840	£110 per payment period of 12 months
£5841 - £5890	£95 per payment period of 12 months
£5891 - £5940	£80 per payment period of 12 months
£5941 - £5990	£65 per payment period of 12 months
£5991 - £6040	£50 per payment period of 12 months

“Balance of income Column (1)	Rate of sum to be paid Column (2)
£6041 - £6090	£35 per payment period of 12 months
£6091 - £6140	£20 per payment period of 12 months
£6141 - £6190	£5 per payment period of 12 months
£6191 and over	Nil;”

- (ii) in paragraph 4(2) and paragraph (ii) of the proviso thereto for the sum of “£526” there shall be substituted the sum of “£562” in each place where it occurs;
- (g) in Part 1 of Schedule 3 (assessment of estimated expenditure in relation to full-time further education bursaries)—
- (i) in paragraph 1(5) for the sums of “£14.43” and “£33.21” in each place where they occur there shall be substituted respectively the sums of “£14.75” and “£34.46”;
- (ii) in paragraph 1(6) for the sums of “£20.16” and “£33.21” in each place where they occur there shall be substituted respectively the sums of “£20.92” and “£34.46”;
- (iii) in paragraph 1(7) for the sum of “£26.88” there shall be substituted the sum of “£27.89”;
- (iv) in paragraph 1(8) for the sum of “£10.82” there shall be substituted the sum of “£11.23”;
- (v) for paragraph 1(10), head (ii) there shall be substituted the following:—
- “(ii) where the start of that course is later than 17th August 1986, who can satisfy the education authority that in the three years immediately preceding the start of the course he received by way of earnings, or such unemployment or supplementary benefit as is chargeable to income tax under section 219 of the Income and Corporation Taxes Act 1970(3), sums totalling at least £12,000.”;
- (vi) in paragraph 1(10) for the Table there specified, there shall be substituted the following Table:—

“Age	Amount
26	£223
27	£399
28	£591
29 and over	£768”

- (h) in Part 2 of Schedule 3 (assessment of contribution in relation to full-time further education bursaries)—
- (i) in paragraph 4(2)(c) for the sums of “£526” and “£1,130” there shall be substituted respectively the sums of “£562” and “£1,206”;
- (ii) in paragraph 6(a) for the sum of “£4146”, in each place where it occurs, there shall be substituted the sum of “£4,241”;
- (iii) for sub-paragraph (b) of paragraph 6 there shall be substituted the following sub-paragraph:—
- “(b) in the assessment of a category B bursary—

- (i) if the balance of the income of the parents or, as the case may be, the person legally liable to maintain the holder is not less than £9,300 and not more than £11,799, the contribution shall be £40 with the addition of £1 for every complete £7 by which the balance of income exceeds £9,300;
- (ii) if the balance of that income is more than £11,799 and not more than £17,299 the contribution shall be £397 with the addition of £1 for every complete £5 by which the balance of income exceeds £11,799;
- (iii) if the balance of that income is more than £17,299, the contribution shall be £1,497 with the addition of £1 for every complete £4 by which the balance of income exceeds £17,299 up to a maximum contribution of £4,600;

reduced in each case, in respect of each child of the parent (other than the student) who is wholly or mainly dependent on him, by £96 or, if such child holds a category B bursary or a grant for a degree or equivalent level course, by £260;”;

- (iv) for sub-paragraph (c) of paragraph 6 there shall be substituted the following sub-paragraph:—

“(c) in the assessment of a category B bursary—

- (i) if the balance of the income of the spouse is not less than £7,300 and not more than £11,801, the contribution shall be £10 with the addition of £1 for every complete £7 by which the balance of income exceeds £7,300;
- (ii) if the balance of that income is more than £11,801 and not more than £17,301, the contribution shall be £653 with the addition of £1 for every complete £5 by which the balance of income exceeds £11,801; and
- (iii) if the balance of that income is more than £17,301, the contribution shall be £1,753 with the addition of £1 for every complete £4 by which the balance of income exceeds £17,301 up to a maximum contribution of £4,600;

reduced in each case, in respect of each child of the spouse who is wholly or mainly dependent on him, by £96.”.

### Transitional Provision

4. Notwithstanding these Regulations, the provisions of the principal Regulations amended in regulation 3 above shall apply, as they were in force prior to being so amended, for the purposes of regulation 9 of the principal Regulations, in relation to any payment period expiring prior to or current at the date of coming into force of these Regulations.

New St. Andrew’s House,  
Edinburgh  
30th July 1987

*Michael B. Forsyth*  
Parliamentary Under Secretary of State, Scottish  
Office

**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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## EXPLANATORY NOTE

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

These Regulations amend the bursary rates and the parental and spouse contribution scales which are prescribed by the Education Authority Bursaries (Scotland) Regulations 1986, and allow authorities to pay students who are nationals, or children of nationals, of a member state of the European Community bursaries in respect of tuition and other fees in certain circumstances.