
WELSH STATUTORY INSTRUMENTS

2008 No. 510 (W.46)

EDUCATION, WALES

The Education (Assisted Places) (Incidental Expenses) (Amendment) (Wales) Regulations 2008

<i>Made</i>	- - - -	<i>26 February 2008</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>27 February 2008</i>
<i>Coming into force</i>	- -	<i>19 March 2008</i>

The Welsh Ministers, having consulted, in accordance with section 3(7) of the Education (Schools) Act 1997⁽¹⁾, such bodies as appear to them 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 them by section 3(1), (3), (4), (5) and (9) of that Act⁽²⁾:

Title, commencement and application

1.—(1) The title of these Regulations is the Education (Assisted Places) (Incidental Expenses) (Amendment) (Wales) Regulations 2008 and they come into force on 19 March 2008.

(2) Regulation 3 applies in relation to Wales in respect of a relevant question.

(3) In paragraph (2) above, a “relevant question” means a question under the Education (Incidental Expenses) Regulations 1997⁽³⁾ 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 and which—

(a) arises in respect of a school year beginning on or after 1 September 2007; and

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

(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 were 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). The functions subsequently transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(3) S.I. 1997/1969. Relevant amending instruments are 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), S.I. 2004/1807 (W.195) and S.I. 2005/2837 (W. 201).

Amendment of the Education (Assisted Places) (Incidental Expenses) (Amendment) (Wales) Regulations 2006

2. At the end of paragraph (3) of regulation 1 of the Education (Assisted Places) (Incidental Expenses) (Amendment) (Wales) Regulations 2006⁽⁴⁾, there is inserted “provided that the question is not one referred to in paragraph (3) of regulation 1 of the Education (Assisted Places) (Incidental Expenses) (Amendment) (Wales) Regulations 2008”.

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

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

(2) In regulation 2—

- (a) in paragraph (2), substitute “£13,861” for “£13,431”;
- (b) in paragraph (3), for sub-paragraphs (a) and (b) substitute—
 - “(a) £86 where the relevant income does not exceed £12,864; and
 - (b) £44 where that income exceeds £12,864, but does not exceed £13,861.”.

(3) In regulation 4—

- (a) in paragraph (3), substitute “£12,877” for “£12,483”; and
- (b) in paragraph (4) substitute—
 - (i) “£12,877” for “£12,483”; and
 - (ii) “£12,698” for “£12,304”.

26 February 2008

Jane Hutt
Minister for Children, Education, Lifelong
Learning and Skills, one of the Welsh Ministers

(4) S.I. 2006/3098 (W.282).

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Education (Assisted Places) (Incidental Expenses) Regulations 1997 (“the 1997 Regulations”).

The Regulations apply in relation to relevant questions that arise in respect of the 2007/08 school year and which have not been determined at the date on which these Regulations come into force. A relevant question is a question as to a parent’s entitlement under the 1997 Regulations to a grant in respect of incidental expenses in connection with the education of an assisted pupil at an independent school.

These Regulations amend the means test (set out in regulation 2 of the 1997 Regulations) for determining eligibility to uniform grant and increase the amount of such grant payable in respect of clothing expenditure incurred in relation to the school year 2007/08. £86 (instead of £83 as previously) is payable where the relevant income does not exceed £12,864 (instead of £12,470) and £44 (instead of £43) is payable where the relevant income exceeds that figure but does not exceed £13,861 (instead of £13,431).

These Regulations also amend the means test (set out in regulation 4 of the 1997 Regulations) for determining eligibility to travel grant, and increase the amount of grant payable in respect of school travel expenditure in relation to the school year 2007/08. Where the relevant income does not exceed £12,877 (instead of £12,473), any travel grant shall be an amount equal to the school travel expenditure to which it relates. Where the relevant income exceeds that sum, the travel grant will be the amount, if any, by which the school travel expenditure to which it relates exceeds an amount (rounded down to the nearest multiple of £3) equal to one-twelfth of that part of the relevant income which exceeds £12,698 (instead of £12,304).