



Children and Young Persons Act 2008

2008 CHAPTER 23

PART 2

FUNCTIONS IN RELATION TO CHILDREN AND YOUNG PERSONS

Education and training

21 Entitlement to payment in respect of higher education

- (1) Section 23C of the 1989 Act (continuing functions of local authorities in respect of former relevant children) is amended in accordance with subsections (2) and (3).
- (2) After subsection (5) insert—
 - “(5A) It is the duty of the local authority to pay the relevant amount to a former relevant child who pursues higher education in accordance with a pathway plan prepared for that person.
 - (5B) The appropriate national authority may by regulations—
 - (a) prescribe the relevant amount for the purposes of subsection (5A);
 - (b) prescribe the meaning of “higher education” for those purposes;
 - (c) make provision as to the payment of the relevant amount;
 - (d) make provision as to the circumstances in which the relevant amount (or any part of it) may be recovered by the local authority from a former relevant child to whom a payment has been made.
 - (5C) The duty set out in subsection (5A) is without prejudice to that set out in subsection (4)(b).”
- (3) In subsection (9) after “subsection (4)(b)” insert “or who is in receipt of a payment under subsection (5A)”.
- (4) In section 776 of the Income Tax (Trading and Other Income) Act 2005 (c. 5) (scholarship income) after subsection (2) insert—

Status: This is the original version (as it was originally enacted).

“(2A) No liability to income tax arises in respect of income from a payment made under section 23C(5A) of the Children Act 1989 (duty to make payments to former relevant children who pursue higher education).”