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 STATUTORY INSTRUMENTS
 

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1977 No. 362 (S. 38)

## EDUCATION, SCOTLAND

**Milk and Meals (Education) (Scotland) Amendment  
Regulations 1977**

*Made* - - - - - 28th February 1977

*Laid before Parliament* 11th March 1977

*Coming into Operation* 4th April 1977

In exercise of the powers conferred on me by sections 53(3) and 144(5) of the Education (Scotland) Act 1962(a) and of all other powers enabling me in that behalf, I hereby make the following regulations:—

*Citation, commencement and interpretation*

1.—(1) These regulations may be cited as the Milk and Meals (Education) (Scotland) Amendment Regulations 1977 and these regulations and the Milk and Meals (Education) (Scotland) Regulations 1971 to 1976 may be cited together as the Milk and Meals (Education) (Scotland) Regulations 1971 to 1977.

(2) These regulations shall come into operation on 4th April 1977.

(3) The Interpretation Act 1889(b) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

*Amendment of Regulations*

2. The Milk and Meals (Education) (Scotland) Regulations 1971(c) as amended(d) shall be amended as follows—

(a) in the proviso to regulation 7(4), for the words “section 4 of the Ministry of Social Security Act 1966”, there shall be substituted the words “section 1 of the Supplementary Benefits Act 1976”(e); and

(b) for the Schedule to the regulations there shall be substituted the following Schedule—

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(a) 1962 c. 47. (b) 1889 c. 63. (c) S.I. 1971/1537 (1971 III, p. 4340).  
 (d) The relevant amending instruments are S.I. 1972/1220, 1973/1258, 1974/1134, 1975/296, 1629, 1976/1702 (1972 II, p. 3612; 1973 II, p. 3729; 1974 II, p. 4313; 1975 I, p. 759; III, p. 5625; 1976 III, p. 4550). (e) 1976 c. 71.

“Regulation 7(4)

SCHEDULE

DETERMINATION OF FINANCIAL HARDSHIP

Where the net weekly income of the parent of a family of any size specified in Part A of the following table is less than the amount of the corresponding entry in column 1 of Part B, the number of children in respect of whom the charge for the meal shall be remitted is the number at the head of the column in Part B in which there appears the lowest amount in that entry which exceeds his income.

Part A Size of Family	Part B					
	Net weekly income in £p					
	1	2	3	4	5	6
1	27.55					
2	33.70	32.95				
3	39.85	39.10	38.35			
4	46.00	45.25	44.50	43.75		
5	52.15	51.40	50.65	49.90	49.15	
6	58.30	57.55	56.80	56.05	55.30	54.55

For larger families, in respect of each child—

- (a) £6.15 is to be added at each incremental point in every additional line; and
- (b) £0.75 is to be subtracted at each incremental point in every additional column.

For the purpose of this Schedule—

‘child benefit’ means a benefit within the meaning of section 1 of the Child Benefit Act 1975(a);

‘child interim benefit’ means benefit within the meaning of section 16 of the Child Benefit Act 1975;

‘net weekly income’ means the weekly resources of the parent calculated in accordance with the provisions of Part III of Schedule 1 to the Supplementary Benefits Act 1976 reduced by payments made for rent and rates and disregarding—

- (a) any attendance allowance under section 35 of the Social Security Act 1975(b);
- (b) in the case of any parent of a child in respect of whom child benefit is paid, the sum determined by the authority as the amount by which his income exceeds the income he would have received if that benefit had not been paid and (where any family allowance or child interim benefit was

(a) 1975 c. 61.

(b) 1975 c. 14.

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payable in respect of the child immediately before 4th April 1977) that allowance or interim benefit had been paid.

'size of family' means the number of dependent children in the family who have not attained the age of 19."

*Bruce Millan,*  
One of Her Majesty's Principal  
Secretaries of State.

New St. Andrew's House,  
Edinburgh.  
28th February 1977.

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#### EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations amend the provisions of the Milk and Meals (Education) (Scotland) Regulations 1971 for the calculation of a parent's income for the purpose of determining entitlement to remission of the charge for school meals.

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