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STATUTORY INSTRUMENTS

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**1988 No. 1164 (S.118)**

**EDUCATION, SCOTLAND**

**The Education (Assisted Places)  
(Scotland) Amendment Regulations 1988**

<i>Made</i>	- - - -	<i>4th July 1988</i>
<i>Laid before Parliament</i>		<i>13th July 1988</i>
<i>Coming into force</i>	- -	<i>3rd August 1988</i>

The Secretary of State, in exercise of the powers conferred upon him by sections 75A(9) and (10) and 75B of the Education (Scotland) Act 1980 (1), and of all other powers enabling him in that behalf, and after having consulted such bodies as appear to him to be appropriate and to be representative of participating schools in accordance with section 75A(11) of that Act, hereby makes the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Education (Assisted Places) (Scotland) Amendment Regulations 1988 and shall come into force on 3rd August 1988.

**Interpretation**

2. In these Regulations a reference to the principal Regulations is a reference to the Education (Assisted Places) (Scotland) Regulations 1986(2).

**Regulation 13 of the principal Regulations**

3. In paragraph (2) of regulation 13 of the principal Regulations, for the sum of “£6,972” there shall be substituted the sum of “£7,258”.

**Regulation 15 of the principal Regulations**

4. In paragraph (6) of regulation 15 of the principal Regulations—
- (a) in sub-paragraph (a) for the sum of “£6,985” there shall be substituted the sum of “£7,271”;
  - (b) in sub-paragraph (b) for the sum of “£6,804” there shall be substituted the sum of “£7,090”.

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(1) 1980 c. 44; sections 75A and 75B were inserted by section 5 of the Education (Scotland) Act 1981 (c. 58)  
(2) S.I.1986/1104, as amended by S.I. 1987/1147

### **Regulation 16 of the principal Regulations**

5. In paragraph (4) of regulation 16 of the principal Regulations—

- (a) in sub-paragraph (ii)(a) for the sum of “£6,985” there shall be substituted the sum of “£7,271”; and
- (b) in sub-paragraph (ii)(b) for the sum of “£6,804” there shall be substituted the sum of “£7,090”.

### **Regulation 17 of the principal Regulations**

6.—(1) For paragraph (2) of regulation 17 of the principal Regulations there shall be substituted the following paragraph:—

“(2) In an assisted pupil’s first assisted year, clothing grant shall be made in the case of such a pupil as respects whom the relevant income does not exceed £8,078 and in such case the grant shall be of an amount equal to so much of the clothing expenditure as does not exceed—

- (a) £123, where the relevant income does not exceed £7,090;
- (b) £93, where that income exceeds £7,090 but does not exceed £7,422;
- (c) £61, where that income exceeds £7,422 but does not exceed £7,741;
- (d) £31, where that income exceeds £7,741 but does not exceed £8,078.

Provided that any clothing grant which would fall to be made in a pupil’s first assisted year may be paid during the 2 months immediately preceding that year but, in such case, this paragraph shall have effect as if the grant were paid in the first assisted year.”.

(2) For paragraph (3) of that regulation there shall be substituted the following paragraph:—

“(3) In any subsequent school year in which clothing grant is made it shall be made in the case of an assisted pupil as respects whom the relevant income does not exceed £7,741 and in such case the grant shall be of an amount equal to so much of the clothing expenditure (disregarding expenditure in respect of which a previous grant has been paid) as does not exceed—

- (a) £46 where the relevant income does not exceed £7,269;
- (b) £23 where the relevant income does not exceed £7,741.”.

### **Regulation 18 of the principal Regulations**

7. For regulation 18 of the principal Regulations there shall be substituted the following regulation:—

“18. Where the parents of an assisted pupil satisfy the school that at any time during a school year, or the month preceding the beginning of a school year, they are in receipt of income support, the school shall make such provision for meals in the middle of the day for that pupil as appears to the school to be requisite and shall remit the whole of any charges in respect of such provision—

- (a) during the whole of that school year, where they are satisfied as aforesaid at or before the beginning of that year; or
- (b) for the remainder of that school year, where they are so satisfied in the course thereof;

notwithstanding that the parents may cease to be in receipt of income support between the participating school being so satisfied and the end of the school year in question.”.

### Schedule 1 to the principal Regulations

8. In paragraph 3 of Schedule 1 to the principal Regulations (computation of income)—
- (a) at the end of sub-paragraph (a) there shall be added the words “or provided for in section 26 of the Finance Act 1987(3) or, so far as applicable in respect of a financial year ending after 5th April 1988, the corresponding provision contained in the Income and Corporation Taxes Act 1988(4)”
- (b) after sub-paragraph (b) there shall be inserted—
- “(bb) in pursuance of section 31 of the Finance (No.2) Act 1987(5) or, so far as applicable in respect of a financial year ending after 5th April 1988, the corresponding provision contained in the Income and Corporation Taxes Act 1988 (relief for contributions to personal pension schemes);”

### Schedule 2 to the principal Regulations

9. For Schedule 2 to the principal Regulations there shall be substituted the following:

“SCHEDULE 2

(1) <i>Part of relevant income to which the specified percentage applies</i>	(2) <i>Parental contribution percentage</i>
That part (if any) which exceeds £7,092 but does not exceed £7,711	9%
That part (if any) which exceeds £7,711 but does not exceed £8,341	12%
That part (if any) which exceeds £8,341 but does not exceed £9,591	15%
That part (if any) which exceeds £9,591 but does not exceed £11,513	21%
That part (if any) which exceeds £11,513 but does not exceed £14,023	24%
That part (if any) which exceeds £14,023	33%”.

St Andrew’s House,  
Edinburgh  
4th July 1988

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

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(3) 1987 c. 16  
(4) 1988 c. 1  
(5) 1987 c. 51

**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 further amend the Education (Assisted Places) (Scotland) Regulations 1986 (“the principal Regulations”) to uprate the qualifying income levels for the remission of fees and charges and making of grants under the assisted places scheme and in certain other respects.

The level of income at or below which fees are to be wholly remitted is increased from £6,972 to £7,258 with corresponding increases in the extent of remission where the relevant income exceeds that sum (regulations 3 and 9). The qualifying income levels for school travel grants and clothing grants are uprated (regulations 4 to 6).

Remission of one-half of charges for meals where parents' income does not exceed £5,917 is removed; the whole of such charges are to be remitted where parents are in receipt of income support (regulation 7).

References to the relevant income tax legislation in Schedule 1 to the principal Regulations are updated, so as to discount deductions from total income of increased personal reliefs for those aged 80 or over and contributions to personal pension schemes (regulation 8).