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STATUTORY INSTRUMENTS

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**1995 No. 2017**

**EDUCATION, ENGLAND AND WALES**

**The Education (Assisted Places)  
(Incidental Expenses) Regulations 1995**

<i>Made</i>	- - - -	<i>31st July 1995</i>
<i>Laid before Parliament</i>		<i>2nd August 1995</i>
<i>Coming into force</i>	- -	<i>25th August 1995</i>

In exercise of the powers conferred on the Secretary of State by sections 18 and 35(4) of the Education Act 1980<sup>(1)</sup>, the Secretary of State for Education and Employment, as respects England, and the Secretary of State for Wales, as respects Wales, hereby make the following Regulations:—

**PART I**  
**GENERAL**

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Education (Assisted Places) (Incidental Expenses) Regulations 1995 and shall come into force on 25th August 1995.

(2) These Regulations shall apply in relation to a school year beginning on or after the date mentioned in paragraph (1).

**Interpretation**

2.—(1) In these Regulations any reference to the principal Regulations is a reference to the Education (Assisted Places) Regulations 1995<sup>(2)</sup>.

(2) Regulation 2 of the principal Regulations shall apply for the purposes of the interpretation of these Regulations as it applies for the purposes of the interpretation of the principal Regulations.

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(1) 1980 c. 20.  
(2) S.I. 1995/2016.

## PART II

### UNIFORM GRANT

#### Payment of uniform grant

3.—(1) In this regulation “clothing expenditure” means expenditure which the school are satisfied—

- (a) has been incurred by the pupil’s parents, or
- (b) is about to be incurred by them but which they cannot, without financial hardship, incur in advance of the payment of grant,

on items of uniform and other clothing (including sports clothing) to be worn by an assisted pupil either at school or for the purposes of school activities.

(2) A school shall, in each school year, in the circumstances mentioned in paragraphs (3) and (5), pay a grant (“uniform grant”) to the parents of a pupil holding an assisted place at the school in respect of the parents' clothing expenditure.

(3) The school shall pay uniform grant to the parents in the case of an assisted pupil—

- (i) who is in his first year at a school as an assisted pupil, and
- (ii) as regards whom the relevant income does not exceed £10,713,

of an amount equal to so much of the parents' clothing expenditure as does not exceed—

- (a) £164, where the relevant income does not exceed £9,406;
- (b) £123, where that income exceeds £9,406 but does not exceed £9,844;
- (c) £80, where that income exceeds £9,844, but does not exceed £10,266;
- (d) £41, where that income exceeds £10,266 but does not exceed £10,713.

(4) Any uniform grant which would be payable pursuant to paragraph (3) in respect of an assisted pupil’s first year at the school may be paid during the period commencing on 25th August 1995 and ending when that school year begins.

(5) Except where paragraph (3) applies, a school shall pay uniform grant in the case of an assisted pupil as regards whom the relevant income does not exceed £10,266 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) £61, where the relevant income does not exceed £9,572;
- (b) £32, where that income exceeds £9,572 but does not exceed £10,266.

## PART III

### TRAVEL GRANTS

#### School travel expenditure qualifying for grants

4. In this Part, “school travel expenditure” means, subject to regulations 6 to 9, the aggregate expenses incurred by or on behalf of a pupil holding an assisted place at a school in respect of his journeys to and from the school—

- (a) by public transport, that is to say, by train, bus, boat, hovercraft or air services available to the public;

- (b) by transport provided pursuant to arrangements which, at the request of the school, are for the time being approved by the Secretary of State; or
- (c) by transport provided by a local education authority.

### **Amount and payment of travel grant**

5.—(1) The amount of grant payable by schools pursuant to any of regulations 6 to 9 (“travel grant”) shall be determined in accordance with paragraph (2) and may be paid on account in accordance with paragraph (3).

(2) The amount, if any, of travel grant for a school year payable in the case of an assisted pupil shall, subject to regulations 6 to 9, be determined as follows by reference to the school travel expenditure for that year in relation to which it is paid and the relevant income as regards the pupil:

- (a) where the relevant income does not exceed £9,585, travel grant shall be of an amount equal to that of the school travel expenditure to which it relates; and
- (b) in any other case travel grant shall be of 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 £9,406.

(3) A school may, in the course of or immediately before a school year, make payments on account of travel grant which, it appears to them, will be payable for that year; but where payments on account are made, within three months of the final determination of the amount (if any) of the grant, any over-payment or under-payment of grant for the year in question shall be adjusted by payments between the parents and the school.

### **Travel grant — boarding pupils**

6.—(1) This regulation applies in the case of an assisted pupil who is a boarder at a school (other than a weekly boarder).

(2) Subject to paragraph (3), the school shall, in respect of each school year, pay travel grant to the parents of an assisted pupil attending the school in relation to school travel expenditure reasonably incurred in relation to journeys made by the pupil in that year to or from his home or to visit a parent or guardian or other relative.

(3) The school shall not pay travel grant in respect of more than 12 single journeys by an assisted pupil, either to or from the school, in any school year, and in calculating the school travel expenditure:

- (a) where a pupil’s expenses are in respect of journeys made by public transport and exceed the expenses that would have been incurred if advantage had been taken of available arrangements for reduced or concessionary fares, the excess shall be disregarded;
- (b) where a pupil’s expenses are in respect of journeys by air and exceed the expenses that would have been incurred if advantage had been taken of—
  - (i) available train, boat or hovercraft services, and
  - (ii) any available arrangements for reduced or concessionary fares in relation to such services,

the excess shall be disregarded;

- (c) where the pupil visits a place other than the pupil’s home (that is to say the place where the pupil normally resides when not at school), and his expenses exceed the amount which they would have been if the visit had been to his home, the excess shall be disregarded;
- (d) where a visit is to a place outside the British Islands, so much of the expenses as are in respect of a journey between a port, hoverport, airport or Channel Tunnel terminal within the British Islands and that place shall be disregarded.

(4) In paragraph (3)(d) “Channel Tunnel terminal” means any place where an assisted pupil boards a train or bus which goes through the Channel Tunnel.

#### **Travel grant — weekly boarding pupils**

7.—(1) This regulation applies in the case of an assisted pupil who is a weekly boarder at a school.

(2) Subject to paragraph (3), where an assisted pupil’s walking distance between home and school exceeds 4.8 kilometres, the school shall, in respect of each school year, pay travel grant to the parents of the pupil in relation to school travel expenditure reasonably incurred in respect of journeys made by the pupil between home and school in that year.

(3) In calculating the school travel expenditure,

- (a) where a pupil’s expenses are in respect of journeys in excess of 80 kilometres each way by such transport as is mentioned in regulation 4, the school shall take into account only the following proportion of the expenses, that is the proportion that 80 kilometres bears to the length in kilometres of the journey in question; and
- (b) where a pupil’s expenses are in respect of journeys by public transport and exceed the expenses that would have been incurred if advantage had been taken of available arrangements for seasons tickets or reduced or concessionary fares, the excess shall be disregarded.

#### **Travel grant — day pupils**

8.—(1) This regulation applies in the case of an assisted pupil who is a day pupil at a school.

(2) Subject to paragraph (3), where an assisted pupil’s walking distance between home and school exceeds 4.8 kilometres the school shall, in respect of each school year, pay travel grant to the parents of the pupil in relation to school travel expenditure reasonably incurred in respect of journeys made by the pupil between home and school in that year.

(3) In calculating the school travel expenditure,

- (a) where a pupil’s expenses are in respect of journeys in excess of 40 kilometres each way by such transport as is mentioned in regulation 4 the school shall take into account only the following proportion of the expenses, that is the proportion that 40 kilometres bears to the length in kilometres of the journey in question; and
- (b) where a pupil’s expenses are in respect of journeys by public transport and exceed the expenses that would have been incurred if advantage had been taken of available arrangements for season tickets or reduced or concessionary fares, the excess shall be disregarded.

#### **Travel grant — visits to universities etc.**

9.—(1) Subject to paragraph (2), the school shall pay travel grant to the parents of an assisted pupil in respect of school travel expenditure reasonably incurred in relation to journeys made by the pupil in the school year within the British Islands for the purpose of visiting an institution of higher or further education at the invitation of the institution with a view to being admitted there for the purposes of further or higher education.

(2) A school shall not pay grant in respect of more than three such journeys from the school or from the pupil’s home to such an institution and three journeys from an institution to the school or to the pupil’s home in any school year.

## PART IV

### SCHOOL MEALS

#### Remission of charges for school meals

**10.** Where the parents of an assisted pupil who is a day pupil satisfy the school at any time during a school year, or the month preceding the beginning of a school year, that they are in receipt of income support under Part VII of the Social Security Contributions and Benefits Act 1992<sup>(3)</sup> the school shall remit the whole of any charges which they would otherwise make for meals provided for that pupil—

- (a) for the whole of that school year, where they are so satisfied at or before the beginning of that year, or
- (b) for the remainder of the school year, where they are so satisfied in the course of that year, irrespective of whether the parents may subsequently cease to be in receipt of income support.

## PART V

### FIELD STUDY COURSES

#### Remission of charges for field study courses

**11.—(1)** In this regulation a field study course means a course of field study (provided by the school or otherwise) which forms part of a normal course of study at a school for the examinations for the General Certificate of Secondary Education, the advanced level examinations for the General Certificate of Education or other examinations comparable to any of them, being examinations in—

- (a) biology,
  - (b) botany,
  - (c) geography,
  - (d) geology,
  - (e) zoology, or
  - (f) any other subject approved for the purposes of this regulation by the Secretary of State,
- and a reference to a relevant examination shall be construed accordingly.

(2) A school shall remit the whole of any charges they would otherwise make in respect of the participation in a field study course of an assisted pupil if—

- (a) he is a candidate or a prospective candidate for a relevant examination, and
- (b) his parents are entitled, under regulation 15 of the principal Regulations, to remission of fees, in whole or in part, for the school year in which the course is held.

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(3) 1992 c. 4.

## PART VI

### GENERAL PROVISIONS RELATING TO GRANTS AND REMISSION OF CHARGES

#### **Determination of grant entitlement under Parts II and III**

**12.**—(1) Paragraph (2) shall have effect for the purposes of determining questions as to whether or not the parents of an assisted pupil are entitled in or for any school year to any—

- (a) uniform grant under Part II, or
- (b) travel grant under Part III,

and, if they are so entitled, the amount thereof.

(2) Regulations 10, 11, 12(2) to (7), 13(1) and 14 of the principal Regulations and Schedule 1 thereto shall apply for the purposes of these Regulations as if any reference therein—

- (a) to the remission of fees, were a reference to the grants mentioned in paragraph (1), and
- (b) to remission questions were a reference to the questions so mentioned.

#### **Restriction on payment of grants and remission of charges**

**13.**—(1) Where a pupil attended a school before he took up an assisted place there then, in pursuance of these Regulations—

- (a) save as provided in regulation 5(3), no grants shall be paid to his parents in respect of expenditure incurred before the date on which he took up his assisted place; and
- (b) no charges shall be remitted in respect of a period before that date.

(2) The parents of an assisted pupil shall not be entitled to—

- (a) any grants in respect of expenditure incurred, or relating to a period, after he has left the school or, if he remains at the school, after the end of the school year in which he attains the age of 20 years, or
- (b) any remission of charges for which they are liable (in lieu of notice or otherwise) in respect of such a period.

## PART VII

### REIMBURSEMENT AND ADMINISTRATIVE ARRANGEMENTS

#### **Reimbursement of schools**

**14.**—(1) The Secretary of State shall reimburse a school the aggregate amount of all grants made and charges remitted in pursuance of these Regulations or Regulations revoked by regulation 16(1).

(2) Regulation 17 of the principal Regulations (reimbursement claims) shall apply for the purposes of these Regulations as if any reference therein to fees remitted were a reference to grants made and charges remitted in pursuance of these Regulations.

#### **Time limits and forms**

**15.** The Secretary of State may specify for the purposes of these Regulations the time by which, and the manner and form in which the parents of an assisted pupil are—

- (a) to apply to a school for payment of grant or remission of charges, and

- (b) to furnish a school with the information requisite for determining whether they are entitled to any payment of grant or remission of fees.

## PART VIII

### REVOCATION AND TRANSITIONAL PROVISIONS

#### **Revocation and transitional provisions**

- 16.—(1) The Regulations specified in the Schedule (“the old Regulations”) are hereby revoked.
- (2) The old Regulations shall continue to apply for the purposes of the reimbursement of grants made or charges remitted in accordance with the old Regulations.

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

## SCHEDULE

Regulation 16(1)

## REVOCATION

<i>Regulations revoked</i>	<i>References</i>
The Education (Assisted Places) (Incidental Expenses) Regulations 1989	S.I. <a href="#">1989/1237</a>
The Education (Assisted Places) (Incidental Expenses) (Amendment) Regulations 1990	S.I. <a href="#">1990/1547</a>
The Education (Assisted Places) (Incidental Expenses) (Amendment) Regulations 1991	S.I. <a href="#">1991/1830</a>
The Education (Assisted Places) (Incidental Expenses) (Amendment) Regulations 1992	S.I. <a href="#">1992/1661</a>
The Education (Assisted Places) (Incidental Expenses) (Amendment) Regulations 1993	S.I. <a href="#">1993/1937</a>
The Education (Assisted Places) (Incidental Expenses) (Amendment) Regulations 1994	S.I. <a href="#">1994/2035</a>

27th July 1995

*Cheryl Gillan*  
Parliamentary Under Secretary of State,  
Department for Education and Employment

31st July 1995

*William Hague*  
Secretary of State for Wales.

**EXPLANATORY NOTE**

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

These Regulations consolidate, with amendments, the Education (Assisted Places) (Incidental Expenses) Regulations 1989 which, with regulations amending them, are revoked by regulation 16(1). They come into force on 25th August 1995 and apply in relation to a school year beginning on or after that date (regulation 1). Changes of substances are described below.

The Regulations complement the Education (Assisted Places) Regulations 1995 (“the principal Regulations”). They relate to the incidental expenses of pupils holding assisted places at schools by virtue of the scheme established pursuant to section 17 of the Education Act 1980, and provide for: grants towards expenditure on uniform and other clothing, and home to school travel; and the remission of charges for meals and field study courses.

The amount of grant is subject to a means test, the provisions for which have been amended. The limit of “relevant income” (as defined in the principal Regulations) for payment of uniform grant



in the first year is raised from £10,462 to £10,713 with corresponding increases in the maximum amounts of grant payable where relevant income is below that figure (regulation 3).

Travel grant is payable in full where the relevant income does not exceed £9,585 (formerly £9,365) and at reduced rates where the relevant income exceeds that figure (regulation 5).

Charges for meals are remitted in full where the parents of an assisted pupil are in receipt of income support (regulation 10).

Charges for field study courses are remitted in full where the parents of an assisted pupil are entitled to any remission of fees under regulation 15 of the principal Regulations (regulation 11).

The Secretary of State is required by regulation 14 to reimburse schools for the grants made and charges remitted under these Regulations or the Regulations revoked by regulation 16(1).