
STATUTORY INSTRUMENTS

1997 No. 1967

EDUCATION, ENGLAND AND WALES

**The Education (Grants) (Music, Ballet and
Choir Schools) (Amendment) Regulations 1997**

<i>Made</i>	- - - -	<i>4th August 1997</i>
<i>Laid before Parliament</i>		<i>11th August 1997</i>
<i>Coming into force</i>	- -	<i>1st September 1997</i>

In exercise of the powers conferred on the Secretary of State by sections 485, 489(1) and 569(4) of the Education Act 1996⁽¹⁾, the Secretary of State for Education and Employment hereby makes the following Regulations:—

1. These Regulations—
 - (a) may be cited as the Education (Grants) (Music, Ballet and Choir Schools) (Amendment) Regulations 1997;
 - (b) shall come into force on 1st September 1997; and
 - (c) shall apply to a school year beginning on or after that date.
2. Schedule 1 to the Education (Grants) (Music, Ballet and Choir Schools) Regulations 1995⁽²⁾ shall be amended as follows—
 - (a) in the proviso to paragraph 7(2), for “which includes the first day of the school year” there is substituted “ending in the calendar year which includes the beginning of the school year”;
 - (b) in paragraph 8—
 - (i) in sub-paragraphs (3) and (5), for “£1,200” in each place where it occurs, there is substituted “£1,230”, and
 - (ii) sub-paragraph (6) (c) (ii) is omitted;
 - (c) in paragraph 13(2), for “£8,498” there is substituted “£8,723”;
 - (d) for the table in paragraph 13(3), there is substituted the following table—

(1) 1996 c. 56.

(2) S.I.1995/2018, amended by S.I. 1996/2036.

“Table

<i>(1)</i> <i>Part of the relevant income to which specified percentage applies</i>	<i>(2)</i> <i>Only aided pupil</i>	<i>(3)</i> <i>Each of two aided pupils</i>
That part which exceeds £8,574 but does not exceed £10,823	10%	7.5%
That part (if any) which exceeds £10,823 but does not exceed £15,208	20%	15%
That part (if any) which exceeds £15,208	12.5%	7.5%”.

- (e) in paragraph 14—
- (i) in sub-paragraph (2), for “£10,687” there is substituted “£10,972”, and
 - (ii) in sub-paragraph (3), for “£10,538” there is substituted “£10,823”;
- (f) for paragraph 15, there is substituted—

“Allowance for child holding assisted place

15. Where the parents of an aided pupil have another child who holds an assisted place at an independent school provided under section 2(1) of the Education (Schools) Act 1997(3), the parents' residual liability for designated fees shall be calculated pursuant to paragraph 13 or 14 above (as the case may be) as if that child held an aided place for the purposes of that paragraph.”;

- (g) for paragraph 16 there is substituted—

“Remission of charges for meals — day pupils

16.—(1) This paragraph applies to an aided pupil who is a day pupil where his parents satisfy the school at any time during a school year, or the month preceding the beginning of that year, that they are in receipt of a relevant benefit.

(2) A school shall remit the whole of any charges which they would otherwise make for meals provided for a pupil to whom this paragraph applies—

- (a) for the whole of that school year, where they are satisfied as mentioned in paragraph (1) at or before the beginning of that year, or
- (b) for the remainder of the school year, where they are satisfied as mentioned in paragraph (1) in the course of that year,

irrespective of whether the parents may subsequently cease to be in receipt of a relevant benefit.

- (3) In this paragraph, “relevant benefit” means—

- (a) income support under Part VII of the Social Security Contributions and Benefits Act 1992(4), or
- (b) an income-based jobseeker's allowance under Part I of the Jobseekers Act 1995(5).”;
- (h) for paragraph 17(3), there is substituted—
 - “(3) Subject to sub-paragraph (6), the school shall pay uniform grant to the parents in the case of an aided pupil—
 - (i) who is in his first year at a school as an aided pupil, and
 - (ii) as regards whom the relevant income does not exceed £11,355,of an amount equal to so much of the parents' clothing expenditure as does not exceed—
 - (a) £174 where the relevant income does not exceed £9,969;
 - (b) £130 where that income exceeds £9,969 but does not exceed £10,433;
 - (c) £85 where that income exceeds £10,433 but does not exceed £10,881; and
 - (d) £44 where that income exceeds £10,881 but does not exceed £11,355.”;
 - (i) for paragraph 17(5), there is substituted—
 - “(5) Except where sub-paragraph (3) applies, a school shall, subject to sub-paragraph (6), pay uniform grant in the case of an aided pupil as regards whom the relevant income does not exceed £10,881 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) £65 where the relevant income does not exceed £10,135; and
 - (b) £34 where that income exceeds £10,135 but does not exceed £10,881.”; and
 - (j) in paragraph 19—
 - (i) in sub-paragraph (2)(a), for “£9,886” there is substituted “£10,148”,
 - (ii) in sub-paragraph (2)(b), for “£9,707” there is substituted “£9,969”, and
 - (iii) in sub-paragraph (3), after “payments on account are made” there is inserted “then”; and
 - (k) in the Appendix, there is omitted paragraph 3(2)(h).

3. In paragraph 12 of Schedule 2 to those Regulations, for “section 47 of the Education (No. 2) Act 1986(6)”, there shall be substituted “section 548(1) of the Education Act 1996(7)”.

4th August 1997

Stephen Byers
Minister of State,
Department for Education and Employment

(4) 1992 c. 4. The provisions of Part VII of the 1992 Act relating to income support were amended by the Jobseekers Act 1995 (c. 18) (section 41(4) and (5) and Schedules 2 and 3).
(5) 1995 c. 18.
(6) 1986 c. 61.
(7) 1996 c. 56.

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Education (Grants) (Music, Ballet and Choir Schools) Regulations 1995. They come into force on 1st September 1997, and have effect as regards a school year beginning on or after that date.

Schedule 1 to the 1995 Regulations (which establishes the aided pupil scheme, sets out conditions of eligibility for aided places, and provides for remission of fees, payment of grant and administrative provisions) is amended (by *regulation 2*) as follows:

- (a) a technical amendment is made to the definition of “current financial year” in paragraph 7(2) of that Schedule;
- (b) the reduction to be made (under paragraph 8) in relevant income in respect of dependent relatives pursuant to sub-paragraphs (3) and (5) is increased to £1,230 (from £1,200);
- (c) paragraph 8(6)(c)(ii) is revoked in consequence of the amendment of Article 51 of the Education and Libraries (Northern Ireland) Order 1986 (which formerly provided for awards in respect of attendance at a teacher training course);
- (d) the means tests for the remission of fees (in paragraphs 13 and 14) is relaxed: the level of income at or below which fees are to be wholly remitted is set at £8,723 instead of £8,498 (in respect of boarding pupils), and £10,972 instead of £10,687 (in respect of day pupils), with corresponding increases in the extent of remission where relevant income exceeds those sums;
- (e) paragraph 15 (which applies where the parents of an aided pupil have another child who holds an assisted place) is amended in consequence of the Education (Schools) Act 1997 (which provides for the phasing out of the assisted places scheme);
- (f) a school will have to remit charges for meals consumed by an aided pupil (under paragraph 16) where his parents receive an income-based jobseeker’s allowance, as well as in cases where they receive income support;
- (g) the means tests for uniform and travel grants (under paragraphs 17 and 19) are relaxed and the amount of grant payable is increased;
- (h) a drafting improvement is made to paragraph 19(3); and
- (i) in the Appendix, which specifies how a person’s total income is to be computed for the purposes of the scheme, paragraph 3(2)(h) is revoked in consequence of the repeal of section 617(5) of the Income and Corporation Taxes Act 1988 by the Finance Act 1996.

In addition, an amendment is made to paragraph 12 of Schedule 2 to the 1995 Regulations in consequence of the enactment of the Education Act 1996 (which consolidates several earlier Education Acts) (*regulation 3*).