

2003 No. 1707

**EDUCATION, ENGLAND**

**The Education (Assisted Places) (Incidental Expenses)  
(Amendment) (England) Regulations 2003**

|                               |                           |
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| <i>Made</i> - - - -           | <i>7th July 2003</i>      |
| <i>Laid before Parliament</i> | <i>14th July 2003</i>     |
| <i>Coming into force</i> - -  | <i>1st September 2003</i> |

In exercise of the powers conferred on the Secretary of State by section 3(3) and (9) of the Education (Schools) Act 1997<sup>(a)</sup>, the Secretary of State for Education and Skills hereby makes the following Regulations:

**Citation, commencement and application**

1.—(1) These Regulations may be cited as the Education (Assisted Places) (Incidental Expenses) (Amendment) (England) Regulations 2003 and shall come into force on 1st September 2003.

(2) These Regulations shall apply in relation to a school year beginning on or after that date.

**Amendment of the Education (Assisted Places) (Incidental Expenses) Regulations 1997**

2.—(1) The Education (Assisted Places) (Incidental Expenses) Regulations 1997<sup>(b)</sup> are amended as follows.

(2) In regulation 2(2) substitute “£12,508” for “£12,227”.

(3) In regulation 2(3), for sub-paragraphs (a) and (b) substitute—

“(a) £77 where the relevant income does not exceed £11,626; and

(b) £40 where that income exceeds £11,626 but does not exceed £12,508”.

(4) In regulation 4 —

(a) in paragraph (3), substitute “£11,639” for “£11,381”; and

(b) in paragraph (4)—

(i) substitute “£11,639” for “£11,381”; and

(ii) substitute “£11,460” for “£11,202”.

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<sup>(a)</sup> 1997 c.59. By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) the powers conferred by these provisions are exercisable by the Secretary of State only in relation to England.

<sup>(b)</sup> S.I. 1997/1969, amended by S.I. 1998/1585, S.I. 1999/1505, S.I. 2000/2112, S.I. 2001/2794 and S.I. 2002/1984.

(5) In regulation 9(3) after sub-paragraph (b) insert “or (c) Child Tax Credit prescribed for the purposes of section 512ZB(4)(a)(iv) of the Education Act 1996(a)”.

7th July 2003

*David Miliband*  
Minister of State,  
Department for Education and Skills

## EXPLANATORY NOTE

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

These Regulations further amend the Education (Assisted Places) (Incidental Expenses) Regulations 1997 (“the 1997 Regulations”) in respect of the school year beginning on or after 1st September 2003. The 1997 Regulations provide for the payment of grants as regards incidental expenses, and for the remission of incidental expenses, in respect of pupils eligible to continue to hold assisted places by virtue of section 2 of the Education (Schools) Act 1997, notwithstanding the abolition of the assisted places scheme by section 1 of that Act.

These Regulations amend the means test (set out in regulation 2 of the 1997 Regulations) for determining eligibility to uniform grant and increase the amount of such grant payable in respect of clothing expenditure incurred in relation to the 2003/2004 and subsequent school years. £77 (instead of £75 as previously) is payable where the relevant income does not exceed £11,626 (instead of £11,368) and £40 (instead of £39) is payable where the relevant income exceeds that figure but does not exceed £12,508 (instead of £12,227).

These Regulations also amend the means test (set out in regulation 4 of the 1997 Regulations) for determining eligibility to travel grant and increase the amount of grant payable in respect of school travel expenditure in relation to the 2003/2004 and subsequent school years. Where the relevant income does not exceed £11,639 (instead of £11,381), travel grant shall be of an amount equal to the school travel expenditure to which it relates. Where the relevant income exceeds that sum, travel grant will 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 £11,460 (instead of £11,202).

These Regulations further add Child Tax Credits to the list of benefits or allowances in the 1997 Regulations the receipt of which enable charges for school meals to be remitted.

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(a) 1996 c.56. The Child Tax Credit is prescribed for the purposes of section 512ZB(4)(a)(iv) of the Education Act 1996 by the Education (Free School Lunches)(Prescribed Tax Credits)(England) Order 2003 S.I. 2003/383.

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