STATUTORY INSTRUMENTS

1984 No. 148

EDUCATION, ENGLAND AND WALES

The Education (Assisted Places) (Incidental Expenses) (Amendment) Regulations 1984

Made - - - -	*8th February* 1984
Laid before Parliament	*21st February* 1984
Coming into Operation	*1st July* 1984

In exercise of the powers conferred on the Secretary of State by sections 18 and 35(4) of the Education Act 1980**(a)**, the Secretary of State for Education and Science, as respects England, and the Secretary of State for Wales, as respects Wales, hereby make the following Regulations:—

1.—(1) These Regulations may be cited as the Education (Assisted Places) (Incidental Expenses) (Amendment) Regulations 1984.

(2) These Regulations shall come into operation on 1st July 1984 but shall not have effect until 1st September 1984 except for the purposes of—

(*a*) determining the questions referred to in Regulation 6 of the principal Expenses Regulations (questions arising under Regulations 3, 4 and 5) in so far as they relate to a school year beginning on or after 1st September 1984, and

(*b*) the payment of uniform grant in pursuance of the proviso to Regulation 3(3) of those Regulations during the two months immediately preceding a pupil's first assisted year where that year begins on or after 1st September 1984.

2. In these Regulations a reference to the principal Expenses Regulations is a reference to the Education (Assisted Places) (Incidental Expenses) Regulations 1981**(b)**.

(a) 1980 c. 20.
(b) S.I. 1981/174, amended by S.I. 1981/1868 and 1983/205.

3. For Regulation 2(1) of the principal Expenses Regulations (interpretation) there shall be substituted the following provision:—

"**2.**—(1) In these Regulations any reference to the principal Regulations is a reference to the Education (Assisted Places) Regulations 1980**(a)** as amended**(b)**, most recently by the Education (Assisted Places) (Amendment) Regulations 1984**(c)**."

4. In Regulation 3 (uniform grants) of the principal Expenses Regulations—

(1) in paragraph (2) there shall be substituted for the words "(4) and (5)" the words "(3) and (4)"; and

(2) there shall be substituted for paragraphs (3) to (5) the following paragraphs—

"(3) In a pupil's first assisted year, uniform grant shall be payable in the case of an assisted pupil as respects whom the relevant income does not exceed £6,700, and in such case the grant shall be of an amount equal to so much of the clothing expenditure as does not exceed—

(*a*) £100, where the relevant income does not exceed £5,880;

(*b*) £75, where that income exceeds £5,880 but does not exceed £6,150;

(*c*) £50, where that income exceeds £6,150 but does not exceed £6,420;

(*d*) £25 where that income exceeds £6,420 but does not exceed £6,700:

Provided that any uniform grant which would fall to be paid in a pupil's first assisted year may be paid during the two months immediately preceding that year.

(4) In any subsequent school year uniform grant shall be payable in the case of an assisted pupil as respects whom the relevant income does not exceed £6,420, 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*) £36, where the relevant income does not exceed £6,046;

(*b*) £18, where that income exceeds £6,046 but does not exceed £6,420."

(a) S.I. 1980/1743.
(b) S.I. 1981/1861, 1983/189 and 1984/147.
(c) S.I. 1984/147.

5. For Regulation 4 (school travel grants) of the principal Expenses Regulations there shall be substituted the following regulation—

"**4.**—(1) In this Regulation and subject to the provisions thereof, "school travel expenditure" means the aggregate expenses incurred by or on behalf of an assisted pupil 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 in pursuance of 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.

(2) Subject to and in accordance with the provisions of this Regulation and Regulation 6, a school shall, in respect of each school year, pay a school travel grant to the parents of each assisted pupil at the school in respect of his school travel expenditure.

(3) A school travel grant shall be payable in respect of school travel expenditure reasonably incurred in relation to return journeys actually made by the pupil in the school year to or from his home or to visit a parent or guardian or other relative:

Provided that—

(*a*) in the case of a pupil who is a boarder (other than a weekly boarder)—

(i) grant shall not be payable in respect of more than 12 journeys in either direction in any school year;

(ii) where the journey is to or from a place outside the British Islands, so much of the expenses as are in respect of a journey between a port, hoverport or airport within the British Islands and that place shall be disregarded;

(iii) where the pupil's expenses are in respect of journeys by air and they are in excess of what they would have been if advantage had been taken of available train, boat or hovercraft services and arrangements for reduced or concessionary fares, the excess shall be disregarded; and

(iv) where the journey is to or from a place other than the pupil's home and his expenses are in excess of what they would have been if the journey had been to or from his home, the excess shall be disregarded;

(*b*) in the case of a pupil who is a weekly boarder no grant shall be payable unless the pupil's walking distance between home and school exceeds three miles, but in respect of journeys in excess of 50 miles in each direction by any such transport as is mentioned in paragraph (1) account shall be taken of only so much of those expenses as bears to the full amount thereof the same proportion as 50 miles bears to the length in miles of the journey in each direction;

(*c*) in the case of a pupil who is a day pupil no grant shall be payable unless the pupil's walking distance between home and school exceeds three miles; but where the pupil's expenses are in respect of journeys in excess of 25 miles in each direction by any such transport as is mentioned in paragraph (1), account shall be taken of only so much of those expenses as bears to the full amount thereof the same proportion as 25 miles bears to the length in miles of the journey in each direction;

(*d*) in the case of any pupil, where the pupil's expenses are in respect of journeys by public transport and they are in excess of what they would have been if advantage had been taken of available arrangements for season tickets or reduced or concessionary fares, the excess shall be disregarded.

(4) The amount, if any, of the school travel grant for a school year payable for an assisted pupil shall be determined as follows, by reference to the school travel expenditure for that year in relation to which it is paid and relevant income as respects that pupil—

(*a*) where the relevant income does not exceed £6,059, the school travel grant shall be of an amount equal to that of the school travel expenditure; and

(*b*) in any other case the school travel grant shall be of the amount, if any, by which the school travel expenditure exceeds an amount (rounded down to the nearest multiple of £3) equal to one twelfth of that part of the relevant income which exceeds £5,880.

(5)(*a*) The school may, in the course of or immediately before a school year, make payments on account of the grant which it appears to the school will be payable for that year.

(*b*) Where any such payments on account are made, any overpayment or underpayment of grant for the year in question shall, within three months of the final determination of the amount (if any) of the grant, be adjusted by payments between the parents and the school."

6. In Regulation 5(2) of the principal Expenses Regulations (remission of charges for meals), for the sum "£4,700" there shall be substituted the sum "£5,100".

7. In Regulation 6(2) of the principal Expenses Regulations (questions arising under Regulations 3, 4 and 5) the words from "subject, however," to the end shall be omitted.

Keith Joseph,
Secretary of State
for Education and Science.

8th February 1984.

Nicholas Edwards,
Secretary of State for Wales.

8th February 1984.

EXPLANATORY NOTE

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

These Regulations amend the Education (Assisted Places) (Incidental Expenses) Regulations 1981 ("the principal Expenses Regulations"). The Regulations come into operation on 1st July 1984 but do not have effect until 1st September 1984 except for specified preliminary purposes (*Regulation 1(2)*).

References to the "principal Regulations", that is to say to the Education (Assisted Places) Regulations 1980, are to be construed as references to those Regulations as further amended by the Education (Assisted Places) (Amendment) Regulations 1984 (*Regulation 3*).

The means tests for uniform grants, school travel grants and the remission of charges for meals are relaxed (*Regulations 4 to 6*).

Uniform grants are to be made available each year, instead of every second year (*Regulation 4*). A consequential amendment is made in Regulation 6(2) of the principal Expenses Regulations (*Regulation 7*).

School travel grants for boarders and weekly boarders are to be assessed on different bases from grants for day pupils and such grants may be made where the visit is to a parent, guardian or other relative at a place other than the pupil's home (*Regulation 5*).

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