STATUTORY INSTRUMENTS

1987 No. 1147 (S.87)

EDUCATION, SCOTLAND

The Education (Assisted Places) (Scotland) Amendment Regulations 1987

Made - - - -	*29th June 1987*
Laid before Parliament	*10th July 1987*
Coming into force	*3rd August 1987*

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(a), 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 1987 and shall come into force on 3rd August 1987.

Interpretation

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

Regulation 2 of the principal Regulations

3.—(1) In paragraph (1) of regulation 2 of the principal Regulations for the definition of "child" there shall be substituted the following:–

> ""child" includes a step-child and a child adopted in pursuance of adoption proceedings (and "father" and "mother" shall be construed accordingly) and, notwithstanding the definition in section 135(1) of the Act, includes a person who is over school age but has not attained the age of 20 years at the commencement of any school year of the participating school which he attends or proposes to attend in that year;".

(2) In sub-paragraph (d) of paragraph (2) of that regulation there shall be inserted after "court" the following:–

> "(including any order made in terms of section 47 of the Children Act 1975(c)".

(3) For sub-paragraph (b) of paragraph (3) of that regulation there shall be substituted the following sub-paragraph:–

> "(b) he is in the care of a local authority or a voluntary organisation under any enactment or is subject to a supervision requirement imposed by a children's hearing under section 44 of the Social Work (Scotland) Act 1968(d),".

(a) 1980 c.44; sections 75A and 75B were inserted by section 5 of the Education (Scotland) Act 1981 (c.58).
(b) S.I. 1986/1104.
(c) 1975 c.72; section 47 was amended by paragraph 14 of Schedule 1 and by Schedule 2 to the Law Reform (Parent and Child) (Scotland) Act 1986 (c.9).
(d) 1968 c.49.

Regulation 9 of the principal Regulations

4. In paragraphs (3) and (4) of regulation 9 of the principal Regulations for the sum of "£900" wherever it occurs there shall be substituted the sum of "£950".

Regulation 13 of the principal Regulations

5. In paragraph (2) of regulation 13 of the principal Regulations for the sum of "£6,806" there shall be substituted the sum of "£6,972".

Regulation 14 of the principal Regulations

6. In paragraph (3) of regulation 14 of the principal Regulations for the references "16(3)" and "17(3)" there shall be substituted respectively the references "16(5)" and "17(2)".

Regulation 15 of the principal Regulations

7. In paragraph (6) of regulation 15 of the principal Regulations–

(a) in sub-paragraph (a) for the sum of "£6,819" there shall be substituted the sum of "£6,985"; and

(b) in sub-paragraph (b) for the sum of "£6,638" there shall be substituted the sum of "£6,804".

Regulation 16 of the principal Regulations

8. In paragraph (4) of regulation 16 of the principal Regulations–

(a) in sub-paragraph (ii)(a) for the sum of "£6,819" there shall be substituted the sum of "£6,985"; and

(b) in sub-paragraph (ii)(b) for the sum of "£6,638" there shall be substituted the sum of "£6,804".

Regulation 17 of the principal Regulations

9.—(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 £7,752 and in such case the grant shall be of an amount equal to so much of the clothing expenditure as does not exceed:–

(a) £118 where the relevant income does not exceed £6,804;

(b) £89 where that income exceeds £6,804 but does not exceed £7,123;

(c) £59, where that income exceeds £7,123 but does not exceed £7,429;

(d) £30, where that income exceeds £7,429 but does not exceed £7,752.

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 £7,429 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) £44 where the relevant income does not exceed £6,976;

(b) £22 where that income exceeds £6,976 but does not exceed £7,429.".

Regulation 18 of the principal Regulations

10. In paragraph (2) of regulation 18 of the principal Regulations for the sum of "£5,773" there shall be substituted the sum of "£5,917".

Regulation 29 of the principal Regulations

11. In regulation 29 of the principal Regulations for the words "postponing or restricting" there shall be substituted the words "postpone or restrict".

Schedule 1 to the principal Regulations

12. In paragraph 3 of Schedule 1 to the principal Regulations–

(a) at the end of sub-paragraph (h) the word "or" shall be deleted;

(b) after sub-paragraph (i) there shall be inserted–

"(j) in pursuance of section 27 of the Finance Act 1986(a) (relief for donations under payroll deduction scheme); or

(k) in pursuance of regulations made under Schedule 8 to the Finance Act 1986 (relief for investments under personal equity plans),".

Schedule 2 to the principal Regulations

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

"SCHEDULE 2

(1) *Part of relevant income to which the specified percentage applies*	(2) *Parental contribution percentage*
That part (if any) which exceeds £6,806 but does not exceed £7,400	9%
That part (if any) which exceeds £7,400 but does not exceed £8,005	12%
That part (if any) which exceeds £8,005 but does not exceed £9,204	15%
That part (if any) which exceeds £9,204 but does not exceed £11,049	21%
That part (if any) which exceeds £11,049 but does not exceed £13,458	24%
That part (if any) which exceeds £13,458	33%".

Michael B. Forsyth
Parliamentary Under Secretary of State,
Scottish office

New St. Andrew's House, Edinburgh
29th June 1987

(a) 1986 c.41.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations 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 minor respects.

The deduction for dependent children and relatives which is to be made from "relevant income" has been increased from £900 to £950 (regulation 4).

The level of income at or below which fees are to be wholly remitted is increased from £6,806 to £6,972, with corresponding increases in the extent of remission where the relevant income exceeds that sum (regulations 5 and 13). The qualifying income levels for the remission of school meals charges and for school travel grants and clothing grants are uprated (regulations 7 to 10).

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 donations under a payroll deduction scheme and reinvested dividend income under personal equity plans (regulation 12).

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