2002 No. 2004

EDUCATION, ENGLAND

The Education (Grants) (Music, Ballet and Choir Schools) (Amendment) (England) Regulations 2002

Made - - - - -	*29th July 2002*
Laid before Parliament	*7th August 2002*
Coming into force - -	*1st September 2002*

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

Citation, commencement, application and interpretation

1.—(1) These regulations may be cited as the Education (Grants) (Music, Ballet and Choir Schools) (Amendment) (England) Regulations 2002 and shall come into force on 1st September 2002.

(2) These Regulations shall apply only in relation to England.

(3) These Regulations shall apply in relation to a school year beginning on or after the date that they come into force.

(4) In these Regulations, "the 2001 Regulations" means the Education (Grants) (Music, Ballet and Choir Schools) (England) Regulations 2001(**b**).

Amendment of the Education (Grants) (Music, Ballet and Choir Schools) (England) Regulations 2001

2.—(1) Regulation 5 of the 2001 Regulations shall be amended as follows.

(2) In paragraph (2), for "paragraph (3)" there shall be substituted "paragraphs (3) and (4)".

(3) After paragraph (3), there shall be added the following—

"(4) In paragraph (1), "expenditure in operating the Scheme" shall include—

(a) the aggregate of expenditure under paragraph (2), and

(b) expenditure, incurred or to be incurred, in connection with the organisation of summer schools and other activities for the purpose of—

(i) enabling pupils (whether or not they attend a school within the meaning of Regulation 3) who might otherwise not be able to do so to benefit from the education and training provided by the school, and

(ii) attracting new pupils to the school.

(**a**) 1996 c. 56. By virtue of the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) the powers conferred by these sections are exercisable by the Secretary of State only in relation to England.

(**b**) S.I. 2001/2743.

(5) The payment of grant under sub-paragraph (4)(b) shall be dependent on the compliance with such requirements determined by the Secretary of State as he may from time to time impose."

3.—(1) Regulation 11 of the 2001 Regulations shall be amended as follows.

(2) After paragraph (1), there shall be added the following—

", or in connection with expenditure under paragraph (5)".

(3) After paragraph (4), there shall be added the following—

"(5) Expenditure under this paragraph shall mean expenditure, incurred or to be incurred, in connection with the organisation of summer schools and other activities for the purpose of—

(i) enabling pupils (whether or not they attend a school within the meaning of Regulation 3) who might otherwise not be able to do so to benefit from the education and training provided by the school, and

(ii) attracting new pupils to the school.

(6) The payment of grant under sub-paragraph (5) shall be dependent on the compliance with such requirements determined by the Secretary of State as he may from time to time impose."

4.—(1) Schedule 1 of the 2001 Regulations shall be amended as follows.

(2) In paragraph 8 (income), in sub-paragraphs (3) and (5), for "£1,430" in each place where it occurs, there shall be substituted "£1,465".

(3) In paragraph 14 (remission of fees—boarding pupils)—

(a) in sub-paragraph (2), for "£9,798" there shall be substituted "£10,016", and

(b) for the table in sub-paragraph (3), there shall be substituted the following table—

Table

Part of relevant income to which percentage applies (1)	*One aided boarding pupil* (2)	*Each of two aided boarding pupils* (3)
That part which exceeds £9,717 but does not exceed £12,000	5%	3.75%
That part which exceeds £12,000 but does not exceed £17,000	10%	7.5%
That part which exceeds £17,000 but does not exceed £25,000	12%	9%
That part which exceeds £25,000 but does not exceed £35,000	15%	11.25%
That part which exceeds £35,000 but does not exceed £50,000	18%	13.5%
That part which exceeds £50,000 but does not exceed £60,000	19%	14.25%
That part (if any) which exceeds £60,000	20%	15%

(4) In paragraph 15 (remission of fees—day pupils)—

(a) in sub-paragraph (2), for "£12,148" there shall be substituted "£12,424", and

(b) for the table in sub-paragraph (3), there shall be substituted the following table—

Table

Part of relevant income to which percentage applies (1)	*One aided day pupil* (2)	*Each of two aided day pupils* (3)
That part which exceeds £12,275 but does not exceed £35,000	10%	7.5%
That part which exceeds £35,000 but does not exceed £40,000	11%	8.25%
That part which exceeds £40,000 but does not exceed £50,000	14%	10.5%
That part (if any) which exceeds £50,000	15%	11.25%

(5) In paragraph 18 (uniform grant)—

(a) in sub-paragraph (2), for "£12,473" there shall be substituted "£12,760",

(b) for sub-paragraph (3)(a) to (d) there shall be substituted—

"(a) £195 where the relevant income does not exceed £11,202;

(b) £146 where that income exceeds £11,202 but does not exceed £11,724;

(c) £95 where that income exceeds £11,724 but does not exceed £12,227; and

(d) £49 where that income exceeds £12,227 but does not exceed £12,760.",

(c) in sub-paragraph (5) for "£11,952" there shall be substituted "£12,227", and

(d) for sub-paragraphs (6)(a) and (b) there shall be substituted—

"(a) £75 where the relevant income does not exceed £11,368; and

(b) £39 where that income exceeds £11,368 but does not exceed £12,227."

(6) In paragraph 20 (travel grant)—

(a) in sub-paragraph (2)(a), for "£11,129" there shall be substituted "£11,381"; and

(b) in sub-paragraph (2)(b), for "£10,950" there shall be substituted "£11,202".

5.—(1) Schedule 2 of the 2001 Regulations shall be amended as follows.

(2) In paragraph 1 and paragraph 3, for "ballet dancing" in each place where it occurs, there shall be substituted "dance".

(3) In paragraph 5 (transfer of aided places)—

(a) For "In any case where the Secretary of State is satisfied that it is reasonable to do so" there shall be substituted "Subject to sub-paragraph (3), in any case where the Secretary of State is satisfied that it is reasonable to do so"; and

(b) After sub-paragraph (2) there shall be added—

"(3) In exercising his power under sub-paragraph (1), the Secretary of State shall have regard to the specified number pursuant to paragraph (1) of this Schedule in relation to the importing and exporting school."

David Miliband
Minister of State,
Department for Education and Skills

29th July 2002

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Grants) (Music, Ballet and Choir Schools) (England) Regulations 2001. They come into force on 1st September 2002, and have effect as regards a school year beginning on or after that date.

Regulation 5 of the 2001 Regulations (which sets out the classes of expenditure in respect of which the Secretary of State may pay grant to each school) is amended (*by regulation 2*) to include a class of expenditure in relation to the organisation of summer schools and other activities for the benefit of pupils either attending the school or otherwise, and in order to attract new pupils to the school.

Regulation 11 of the 2001 Regulations (which sets out the basis on which the Secretary of State may pay grant to the Choir Schools' Association Bursary Trust) is amended (*by regulation 3*) to the same effect as Regulation 2 above.

Schedule 1 to the 2001 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 arrangements) is amended (*by regulation 4*) as follows:

(a) 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 £1,465 (from £1,430);

(b) the means test 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 £10,016 instead of £9,798 (in respect of boarding pupils), and £12,424 instead of £12,148 (in respect of day pupils); and

(c) the means tests for uniform and travel grants (under paragraphs 18 and 20) are relaxed and the amount of grant payable is increased.

Schedule 2 to the 2001 Regulations (which sets out conditions of payment of grant) is amended (*by regulation 5*) as follows:

(a) References to "dance" have been substituted for references to "ballet dancing" in paragraphs 1 and 3, to reflect the change of the Scheme's name from the Music and Ballet Scheme to the Music and Dance Scheme; and

(b) The Secretary of State's power to authorise transfers of places between participating schools (in paragraph 5) is made subject to taking into account the total number of aided pupils at any particular school.

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