STATUTORY INSTRUMENTS

1984 No. 841 (S. 79)

EDUCATION, SCOTLAND

The St Mary's Music School (Aided Places) Amendment Regulations 1984

Made - - - -	15*th June* 1984
Laid before Parliament	2*nd July* 1984
Coming into Operation	1*st August* 1984

In exercise of the powers conferred on me by sections 73*(f)* and 74(1) of the Education (Scotland) Act 1980 (**a**) and all other powers enabling me in that behalf I hereby make the following regulations:—

Citation and commencement

1. These regulations may be cited as the St Mary's Music School (Aided Places) Amendment Regulations 1984 and shall come into operation on 1st August 1984.

Interpretation

2. In these regulations, a reference to the principal regulations is a reference to the St Mary's Music School (Aided Places) Regulations 1983 (**b**) and, unless the context otherwise requires, expressions used in these regulations shall have the same meaning in these regulations as they have in the principal regulations.

Amendment of principal regulations

3. In regulation 2(4) of the principal regulations (interpretation), for the words "in pursuance of a decree of judicial separation or other order of a court" there shall be substituted the words "under an order of a court of competent jurisdiction or by a deed of separation".

4.—(1) In regulation 14(2) of the principal regulations (remission of fees—boarding pupils) for the sum "£4,850" there shall be substituted the sum "£5,220".

(2) In paragraph (3) of the said regulation 14 for the Table there shall be substituted the following Table:—

(**a**) 1980 c.44. (**b**) S.I. 1983/1150.

"TABLE

(1) *Part of relevant income to which specified percentage applies*	(2) *Only aided pupil*	(3) *Each of two aided pupils*
That part which exceeds £5,070 but does not exceed £6,400	10%	7.5%
That part (if any) which exceeds £6,400 but does not exceed £8,980	20%	15%
That part (if any) which exceeds £8,980	10%	7.5% "

5.—(1) In regulation 15(2) of the principal regulations (remission of fees—day pupils) for the sum "£6,080" there shall be substituted the sum "£6,550".

(2) In paragraph (3) of the said regulation 15 for the sum "£5,930" there shall be substituted the sum "£6,400".

6. In regulation 17(2) of the principal regulations (remission of charges for meals—day pupils) for the sum "£4,700" there shall be substituted the sum "£5,100".

7. In regulation 18 of the principal regulations (clothing grants), paragraph 3 shall be revoked, and for paragraphs (4) and (5) there shall be substituted the following paragraphs:—

"(4) Unless an aided pupil has been a pupil at the school before taking up an aided place, in a pupil's first year at the school, clothing grant shall be payable in the case of an aided 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 clothing grant which would fall to be paid in pursuance of this paragraph in a pupil's first aided year at the school may be paid during the two months immediately preceding that year.

(5) Except where paragraph (4) applies, clothing grant shall be payable in the case of an aided 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.".

8. In regulation 19 of the principal regulations (school travel expenditure qualifying for grants) after the words "Regulation 20," there shall be inserted the words "regulation 20A,".

9. In regulation 20 of the principal regulations (school travel grants —boarding pupils) in paragraph (1) after the word "boarder" there shall be inserted the words "(other than a weekly boarder)" and in paragraph (2) there shall be substituted for the words "six return journeys" the words "twelve journeys in either direction".

10. After regulation 20 of the principal regulations there shall be inserted the following regulation:—

"School travel grants—weekly boarding pupils

20A(1) This regulation shall apply in the case of an aided pupil who is a weekly boarder at the school.

(2) Where an aided pupil's walking distance between home and school exceeds 3 miles the school shall, in respect of each school year, pay a school travel grant to the parents of an aided pupil at the school in relation to school travel expenditure reasonably incurred in respect of journeys between home and school in that year:

Provided that for the purposes hereof—

(a) where a 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 reduced or concessionary fares, the excess shall be disregarded;

(b) where a 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;

(c) where a journey is to 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 his home, the excess shall be disregarded;

(d) where a journey is to 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.".

11. In regulation 22 of the principal regulations (amount of school travel grants) in paragraph (1)*(a)* for the sum "£5,629" there shall be substituted the sum "£6,059" and in paragraph (1)*(b)* for the sum "£5,450" there shall be substituted the sum "£5,880".

12. In regulation 23 of the principal regulations (part-year remissions and grants) in paragraph (2)*(b)* the words "subject however in the case of regulation 9(2) to the provision of regulation 18(3)" shall be deleted.

13. In schedule 1 to the principal regulations (computation of income)—

(a) For sub-paragraph *(i)* of paragraph 3 there shall be substituted the following sub-paragraph:—

"*(i)* in pursuance of Part I of Schedule 5 to the Finance Act 1983 (**a**) (relief for investment in corporate trades);"; and

(b) the following paragraph shall be substituted for paragraph 4—

"4. There shall be left out of account, in computing a person's total income for the purposes of these regulations, any allowance paid to him by an adoption agency pursuant to a scheme approved by the Secretary of State under section 50(4) of the Adoption Act 1958 (**b**).".

(**a**) 1983 c.28, amended by section 5 of and Schedule 1 to the Finance (No. 2) Act 1983 (c.49).
(**b**) 1958 c.5 (7&8 Eliz. 2); section 50(4) was inserted by section 32 of the Children Act 1975 (c.72).

George Younger,
One of Her Majesty's Principal
Secretaries of State.

New St Andrew's House,
Edinburgh.
15th June 1984.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations amend the St Mary's Music School (Aided Places) Regulations 1983 ("the principal regulations") to uprate the qualifying income levels for the remission of fees and charges and the making of grants, and in certain other minor respects.

Regulation 2(4) of the principal regulations is amended so that the circumstances in which the parents of a child are to be regarded as separated for the purposes of the regulations includes the case where the parents are separated by deed of separation (regulation 3).

The income scales for the remission of fees and meal charges, and for clothing grants and school travel grants, are relaxed; the level of income at or below which fees are to be wholly remitted is set at £5,220, instead of £4,850, for boarders and £6,550, instead of £6,080, for day pupils; clothing grants are to be made available each year instead of every second year; school travel grants for boarders are to be payable for 12 single journeys (instead of 6 return journeys) per year, except in the case of weekly boarders, to whom the restriction in number of journeys does not apply (regulations 4–12).

In Schedule 1 (computation of income) to the principal regulations the reference to the relevant income tax legislation in paragraph 3*(i)* is brought up to date. The provision in paragraph 4 of the Schedule under which payments on retirement or removal from office or employment are, notwithstanding their treatment for tax purposes, to be treated as part of a person's total income for the purposes of the regulations, is revoked, so that (currently) £25,000 of any such payment will be excluded from the computation of such income. Adoption allowances paid under a scheme approved under section 50(4) of the Adoption Act 1958 are also to be excluded (regulation 13).

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