
STATUTORY INSTRUMENTS

1998 No. 1585

EDUCATION, ENGLAND AND WALES

The Education (Assisted Places) (Incidental Expenses) (Amendment) Regulations 1998

Made - - - - - *25th June 1998*
Laid before Parliament *1st July 1998*
Coming into force - - - *1st September 1998*

In exercise of the powers conferred by section 3(3), (4), (5) and (9) of the Education (Schools) Act 1997⁽¹⁾, the Secretary of State for Education and Employment, 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 1998, and shall come into force on 1st September 1998.

(2) These Regulations shall apply in relation to a school year beginning on or after the date mentioned in paragraph (1).

2. The Education (Assisted Places) (Incidental Expenses) Regulations 1997⁽²⁾ shall be amended as specified in regulations 3 to 6 below.

3. In regulation 1(3), for “Regulations 2 and 3” there shall be substituted “Regulations 2, 3 and 19(4)”.

4.—(1) Regulation 2 shall be amended as follows.

(2) In paragraph (4), for “Any uniform grant” there shall be substituted “Subject to paragraph (4B), any uniform grant”.

(3) After paragraph (4), there shall be inserted—

“(4A) This paragraph applies to an assisted pupil where the whole or any part of any uniform grant payable to his parents pursuant to paragraph (3) was not so paid before the end of the 1997–98 school year by reason only of—

- (a) an error on the part of the school or the parents, or
- (b) a delay in calculating the relevant income in relation to that year.

(1) 1997 c. 59.
(2) S.I. 1997/1969.

(4B) Where, at any time during the 1998–99 school year, the school are satisfied that paragraph (4A) applies to an assisted pupil, they shall, before the end of that year (but no later), pay to his parents the whole or any remaining part of the uniform grant which, apart from paragraph (4), would have been payable to them pursuant to paragraph (3).”.

(4) In paragraph (5), for “£10,881” there shall be substituted “£11,186”.

(5) For paragraph (6)(a) and (b) there shall be substituted—

“(a) £67 where the relevant income does not exceed £10,414; and

(b) £35 where that income exceeds £10,414 but does not exceed £11,186.”.

5. In regulation 4—

(a) in paragraph (3), for “£10,148” there shall be substituted “£10,427”; and

(b) in paragraph (4)—

(i) for “£10,148” there shall be substituted “£10,427”, and

(ii) for “£9,969” there shall be substituted “£10,248”.

6. In regulation 9(1)(b) there shall be omitted the words “(including, in relation to the 1997–98 school year, any part of the period which falls before the commencement of these Regulations)”.

22nd June 1998

Stephen Byers
Minister of State,
Department for Education and Employment

25th June 1998

Peter Hain
Parliamentary Under Secretary of State, Welsh
Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Assisted Places) (Incidental Expenses) Regulations 1997 (“the 1997 Regulations”) in respect of a school year beginning on or after 1st September 1998. 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.

An amendment is made to regulation 1(3) of the 1997 Regulations so as to clarify that the provisions of those Regulations apply to a school authorised to provide assisted places by virtue of regulation 19 of the Education (Assisted Places) Regulations 1997 (*regulation 3*).

Under regulation 2(3) and (4) of the 1997 Regulations, uniform grant is payable during the 1997–98 school year at an enhanced rate for a pupil who first took up an assisted place in that year in respect of clothing expenditure incurred in relation to that year. Those provisions are changed so as to permit the payment of this higher rate of grant to be made during the 1998–99 school year in relation to a pupil for whom it was not paid (in full or in part) before the end of the 1997–98 school year due either to an error or to a delay in calculating the relevant income (*regulation 4(3)*).

The means test (set out in regulation 2(5) of the 1997 Regulations) is relaxed and the amount of grant payable is increased for uniform grant payable in respect of clothing expenditure incurred in relation to the 1998–99 and subsequent school years (*regulation 4(4) and (5)*).

The means test (set out in regulation 4 of the 1997 Regulations) for travel grant is relaxed and the amount of grant payable increased (*regulation 5*).

A spent provision is omitted from regulation 9(1)(b) of the 1997 Regulations (*regulation 6*).