

2008 No. 509 (W.45)

EDUCATION, WALES

**The Education (Assisted Places)
(Amendment) (Wales) Regulations
2008**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Education (Assisted Places) Regulations 1997 (“the 1997 Regulations”).

The Regulations apply in relation to remission questions that arise in respect of the 2007/08 school year and which have not been determined at the date on which these Regulations come into force. A remission question is a question as to a parent’s entitlement under the 1997 Regulations to a remission in the fees payable in respect of a child’s education at an independent school.

The reductions to be made in relevant parental income in respect of dependent relatives pursuant to regulation 10(4) and (6) of the 1997 Regulations are increased from £1,625 to £1,675.

These Regulations also amend the means test for the remission of fees: the level of income at or below which fees are to be wholly remitted is set at £12,864 instead of £12,470, with corresponding increases in the extent of remission where relevant income exceeds that sum.

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**The Education (Assisted Places)
(Amendment) (Wales) Regulations
2008**

Made 26 February 2008

Laid before the National Assembly for Wales
27 February 2008

Coming into force 19 March 2008

The Welsh Ministers, having consulted, in accordance with section 3(7) of the Education (Schools) Act 1997⁽¹⁾, such bodies as appear to them to be appropriate and representative of schools which provide assisted places under section 2(1) of that Act, makes the following Regulations in exercise of the powers conferred upon them by section 3(1), (2), (5) and (9) of that Act⁽²⁾:

Title, commencement and application

1.—(1) The title of these Regulations is the Education (Assisted Places) (Amendment) (Wales) Regulations 2008 and they come into force on 19 March 2008.

(2) Regulation 3 applies in relation to Wales in respect of a relevant remission question.

(3) In paragraph (2) above, “relevant remission question” means a remission question under the Education (Assisted Places) Regulations 1997 and which—

⁽¹⁾ 1997 c. 59. Section 3 was amended by section 130 of the School Standards and Framework Act 1998 (c. 31).

⁽²⁾ The functions of the Secretary of State under section 3 were exercisable by the National Assembly for Wales in relation to Wales: *see* article 2 of, and the entry in respect of the Education (Schools) Act 1997 in Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). The functions subsequently transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c.32).

- (a) arises in respect of a school year beginning on or after 1 September 2007; and
- (b) has not been determined at the date on which these Regulations come into force.

Amendment of the Education (Assisted Places) (Amendment) (Wales) Regulations 2006

2. At the end of paragraph (3) of regulation 1 of the Education (Assisted Places) (Amendment) (Wales) Regulations 2006(1), there is inserted “provided that the question is not one referred to in paragraph (3) of regulation 1 of the Education (Assisted Places) (Amendment) (Wales) Regulations 2008”.

Amendment of the Education (Assisted Places) Regulations 1997

3.—(1) The Education (Assisted Places) Regulations 1997(2) are amended as follows.

(2) In regulation 10(4) and (6), substitute “£1,675” for “£1,625” in each place where it appears.

(3) In paragraph 1 of Schedule 2, substitute “£12,864” for “£12,470”.

(4) For the table following paragraph 2(1) of that Schedule substitute the following table—

| <i>(1) Part of relevant income to which specified percentage applies</i> | <i>(2) Only assisted pupil (%)</i> | <i>(3) Each of two assisted pupils (%)</i> | <i>Each of three assisted pupils (%)</i> |
|--|------------------------------------|--|--|
| That part (if any) which exceeds £12,698 but does not exceed £13,808. | 9 | 6.75 | 5.25 |
| That part (if any) which exceeds £13,808 but does not exceed | 12 | 9 | 7 |

(1) S.I. 2006/3097 (W.281).

(2) S.I. 1997/1968. Relevant amending instruments are S.I. 1998/1726, S.I. 1998/1966, S.I. 1999/1505, S.I. 2000/1938 (W. 136), S.I. 2001/2680 (W. 221), S.I. 2002/1879 (W. 188), S.I. 2003/1854 (W. 204), S.I. 2004/1812 (W. 197), S.I. 2005/2838 (W. 202) and S.I. 2006/3097 (W.281).

| | | | |
|---|----|-------|-------|
| £14,935. | | | |
| That part (if any) which exceeds £14,935 but does not exceed £17,169. | 15 | 11.25 | 8.75 |
| That part (if any) which exceeds £17,169 but does not exceed £20,616. | 21 | 15.75 | 12.25 |
| That part (if any) which exceeds £20,616 but does not exceed £25,110. | 24 | 18 | 14 |
| That part (if any) which exceeds £25,110 | 33 | 24.75 | 19.25 |

Jane Hutt

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26 February 2008.