WELSH STATUTORY INSTRUMENTS

2002 No. 1856 (W.180)

EDUCATION, WALES

Local Education Authority (Post-Compulsory Education Awards)(Wales) Regulations 2002

Made - - - -	*16th July 2002*
Coming into force - -	*1st August 2002*

The National Assembly for Wales makes the following regulations in exercise of the powers conferred upon the Secretary of State by sections 518(1)(b) and (2) and 569(4) of the Education Act 1996(**1**) and now vested in the National Assembly(**2**).

Name and commencement

1. These Regulations are called the Local Education Authority (Post-Compulsory Education Awards) (Wales) Regulations 2002 and shall come into force on 1st August 2002.

Revocation, saving and transitional provision

2.—(1) The Local Education Authority (Post-Compulsory Education Awards) Regulations 1999(**3**) are revoked in relation to local education authorities in Wales, but the revoked regulations continue to apply in connection with any awards under those regulations made before the coming into force of these Regulations.

(2) Any determination made by an education authority under regulation 4 of the revoked regulations in relation to the 2002—2003 financial year shall be deemed to have been made under regulation 5 of these Regulations.

Interpretation

3.—(1) In these Regulations, unless the context otherwise requires—

"Assembly Learning Grant" ("*Grant Dysgu'r Cynulliad*") means a post-compulsory education award to a person undergoing a course of further or higher education which has been designated for the purposes of the Assembly Learning Grant Scheme, where that person meets the eligibility requirements of that Scheme;

(**1**) 1996 c. 56. Section 518 was substituted by section 129 of the School Standards and Framework Act 1998 (c. 31).
(**2**) *See* The National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).
(**3**) S.I.1999/229.

"the Assembly Learning Grant Scheme" ("*Cynllun Grant Dysgu'r Cynulliad*") means the scheme established by the National Assembly, setting out conditions for the making of grant by the National Assembly under regulations made under section 484 of the Education Act 1996(**4**) to reimburse expenditure incurred by education authorities in paying Assembly Learning Grants being expenditure which is approved by the National Assembly for the purposes of those regulations for the financial year in question;

"educational facilities" ("*cyfleusterau addysgol*"), in relation to an eligible person, means—

(a) secondary education provided at a school, or

(b) a full-time or part-time course of further or higher education at an educational institution or otherwise, apart from (unless the award is an Assembly Learning Grant) a course in respect of which that person is eligible for any financial support by way of grant or loan under regulations made under section 22 of the Teaching and Higher Education Act 1998(**5**);

"education authority" ("*awdurdod addysg*") means a local education authority in Wales;

"eligible person" ("*person cymwys*") means a person over compulsory school age;

"financial year" ("*blwyddyn ariannol*") means a period of twelve months ending with 31st March;

"National Assembly" ("*Cynulliad Cenedlaethol*") means National Assembly for Wales;

"post-compulsory education award" ("*dyfarndal addysg ôl-orfodol*") means an award granted by an education authority under regulation 4;

"the revoked regulations" ("*y rheoliadau a ddiddymwyd*") are the regulations revoked by regulation 2.

(2) In these Regulations, unless the context otherwise requires, any reference to a numbered regulation is a reference to the regulation bearing that number in these Regulations and any reference in a regulation to a paragraph is a reference to a paragraph of that regulation.

Power to grant post-compulsory education awards

4.—(1) Subject to paragraph (2) an education authority shall have power to grant a post-compulsory education award, that is to say—

(a) a scholarship,

(b) an exhibition,

(c) a bursary, or

(d) any other allowance

in respect of an eligible person for the purpose of enabling that person to take advantage of any educational facilities available to him or her.

(2) Except where the award is an Assembly Learning Grant—

(a) the power in subsection (1) cannot be exercised in relation to any financial year if the education authority have determined under regulation 5 that it should not be exercised in relation to that financial year; and

(b) where in relation to any financial year the education authority have determined under regulation 5 that the power can be exercised only in the case of eligible persons who satisfy particular criteria, the authority can exercise the power under subsection (1) to grant a

(**4**) The current regulations made under section 484 of the Education Act 1996 are the Education (Assembly Learning Grant Scheme)(Wales) Regulations (S.I. 2002/1857 (W.181).

(**5**) 1998 c. 30.