

NATIONAL ASSEMBLY FOR WALES

S T A T U T O R Y I N S T R U M E N T S

2005 No. (W.)

EDUCATION, WALES

**The Individual Learning Accounts
Wales (Amendment) Regulations
2005**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Individual Learning Accounts Wales Regulations 2003 (“the 2003 Regulations”) in the following two ways.

The term “civil partner” is inserted into the 2003 Regulations. A civil partner as a consequence is placed on an equal footing with a spouse, child or stepchild with regards eligibility under regulation 4 of the 2003 Regulations. “civil partner” is defined in section 1(1) of the Civil Partnership Act 2004.

Regulation 4(5) of the 2003 Regulations is amended to make persons who are in receipt of specified benefits or allowances, or their dependants, eligible for Individual Learning Account Wales, regardless of their level of educational attainment. A Schedule is inserted into the 2003 Regulations specifying the eligible benefits and allowances.

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EDUCATION, WALES

**The Individual Learning Accounts
Wales (Amendment) Regulations
2005**

Made 2005

Coming into force 15 July 2005

The National Assembly for Wales makes the following Regulations in exercise of the powers conferred on it by sections 105, 108, 150 and 152 of the Learning and Skills Act 2000⁽¹⁾:

Title, commencement, application and interpretation

1.—(1) The title of these Regulations is the Individual Learning Accounts Wales (Amendment) Regulations 2005 and they come into force on 15 July 2005.

(2) These Regulations apply in relation to Wales.

(3) In these Regulations “2003 Regulations” (“*Rheoliadau 2003*”) means the Individual Learning Accounts Wales Regulations 2003⁽²⁾.

**Amendment of the Individual Learning Accounts
Wales Regulations 2003**

2. In regulation 1(2) of the 2003 Regulations the following definition is to be inserted where appropriate -

““civil partner” (“*partner sifil*”) has the meaning given to it in section 1(1) of the Civil Partnership Act 2004⁽³⁾”.

(1) 2000 c.21.
(2) S.I. 2003/918 (W.119).
(3) 2004 c.33.

3. Insert the words “civil partner” after the word “spouse” in regulation 4(3)(c), (d) and (e) of the 2003 Regulations.

4. The following text is substituted for regulation 4(5) of the 2003 Regulations -

“(5) The fourth condition is that the person has not attained a level of educational qualification above Level 2 or equivalent as set out in the national qualifications framework, unless that person is in receipt of benefits or allowances listed in the Schedule to these Regulations, or is a dependant of such a person.”

5. In the 2003 Regulations insert the Schedule as set out in the Schedule to these Regulations.

Signed on behalf of the National Assembly for Wales
under section 66(1) of the Government of Wales Act
1998(4)

Date

The Presiding Officer of the National Assembly

(4) 1998 c.38.

SCHEDULE

Regulation 4

NEW SCHEDULE TO THE INDIVIDUAL LEARNING ACCOUNTS WALES REGULATIONS 2003

“SCHEDULE 1

Regulation 4(5)

QUALIFYING BENEFITS OR ALLOWANCES

1. Council Tax Benefit
2. Housing Benefit
3. Income Support
4. Job Seekers Allowance (Income Based)
5. Pension Credit (Savings)
6. Pension Credit (Guarantee)
7. Working Tax Credit.”