

**WRITTEN QUESTION H.M. ATTORNEY GENERAL  
BY DEPUTY T.A. VALLOIS OF ST. SAVIOUR  
ANSWER TO BE TABLED ON TUESDAY 20th NOVEMBER 2012**

**Question**

Could H.M. Attorney General provide advice as to whether Article 4(1) of the Education (Discretionary Grants – General) (Jersey) Order 2008 already provides the Education, Sport and Culture Department with the ability to take into account a separated parent's income or that of the new partner?

**Answer**

Article 4(1) permits the Education, Sport and Culture Department [the Department] to take into account the relevant income of both the student's parents, even if separated unless a parent cannot be found or it is not reasonably practicable to get in touch with the parent.

Article 4(5) provides a discretion and the Department may disregard the income of a parent if the family circumstances are such that it would be unfair to the student not to do so.

Article 4(1) does not allow the Department to directly take into account the income of a new partner's income. The potential relevance of a new partner's income is limited only to a consideration of the family circumstances for the purposes of Article 4(5).