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WELSH STATUTORY INSTRUMENTS

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**2018 No. 813**

**The Education (Student Support)  
(Wales) (Amendment) Regulations 2018**

**PART 2**

**AMENDMENTS TO THE EDUCATION (STUDENT  
SUPPORT) (WALES) REGULATIONS 2018**

**Amendments to the Education (Student Support) (Wales) Regulations 2018**

2. The Education (Student Support) (Wales) Regulations 2018<sup>(1)</sup> are amended in accordance with regulations 3 to 10.
3. In regulation 46(3)(c), after “household income” insert “exceeding £18,370”.
4. For regulation 56 substitute—

**“Amount of maintenance loan: full-time students who qualify for special support payment**

**56.**—(1) Where a full-time student qualifies for a special support payment under regulation 50, the amount of maintenance loan payable to the student is calculated in accordance with paragraph (2).

(2) The amount of maintenance loan payable is calculated by applying the following steps—

*Step 1*

Identify the amount of—

- (a) maintenance grant payable to the student under regulation 46, and
- (b) base grant payable to the student under regulation 45.

*Step 2*

Identify the amount of base grant and maintenance grant to be treated as a special support payment under regulation 50.

*Step 3*

Identify the applicable amount of living support for the student by reference to Table 8, where—

- (a) Column 1 specifies the academic year in relation to which the amounts of living support in Column 3 apply;

- (b) Column 2 specifies the location in which the student is living (see paragraph 3 of Schedule 1);
- (c) Column 3 specifies the applicable amounts of living support for the corresponding entries in Columns 1 and 2.

**Table 8**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Academic year</i>	<i>Location of student</i>	<i>Applicable amount of living support for special support student</i>
Beginning on or after 2018	Living at home	£7,650
	Living away from home, studying in London	£11,250
	Living away from home, studying elsewhere	£9,000

*Step 4*

Whichever is the greater of—

- (a) the amount identified at Step 3, or
- (b) the amounts of grant identified at Step 1 plus the minimum amount of maintenance loan payable to the student as specified by reference to Table 8A,

is the maximum amount of living support available to the student.

*Step 5*

Calculate the notional maximum amount of maintenance loan by deducting the amount of special support payment identified at Step 2 from the maximum amount of living support identified at Step 4.

*Step 6*

Deduct the amount of any maintenance grant payable to the student that is not treated as special support payment from the notional maximum amount of maintenance loan calculated at Step 5.

The result is the amount of maintenance loan payable to the student.

(3) In Table 8A—

- (a) Column 1 specifies the academic year in relation to which the minimum amounts of maintenance loan in Column 3 apply;
- (b) Column 2 specifies the location in which the student is living (see paragraph 3 of Schedule 1);
- (c) Column 3 specifies the minimum amounts of maintenance loan payable for the corresponding entries in Columns 1 and 2.

**Table 8A**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Academic year</i>	<i>Location of student</i>	<i>Minimum amount of maintenance loan payable</i>
Beginning on or after 2018	Living at home	£3,325
	Living away from home, studying in London	£5,125
	Living away from home, studying elsewhere	£4,000

(4) In this regulation, “living support” is the collective term for special support payment, maintenance grant and maintenance loan.”

5. In regulation 58 (amount of maintenance loan: part-time students), at the end insert—  
“(3) This regulation is subject to regulation 58A.”
6. After regulation 58 insert—

**“Amount of maintenance loan: part-time students who qualify for special support payment**

**58A.**—(1) Where a part-time student qualifies for a special support payment under regulation 50, the amount of maintenance loan payable to the student is calculated in accordance with paragraph (2).

(2) The amount of maintenance loan is calculated by applying the following steps—

*Step 1*

Identify the amount of base grant and maintenance grant payable to the student which is to be treated as a special support payment under regulation 50.

*Step 2*

Calculate the applicable amount of living support for the student by reference to Table 10A, where Column 2 of the table specifies the amount of living support that applies in relation to the academic year specified in Column 1.

**Table 10A**

<i>Column 1</i>	<i>Column 2</i>
Academic year	Amount of living support for part-time student where special support payable
Beginning on or after 2018	£6,650 multiplied by intensity of study

*Step 3*

Deduct the amount of special support payment identified at Step 1 from the applicable amount of living support identified at Step 2.

The result is the amount of maintenance loan payable to the student.

(3) In this regulation, “living support” is the collective term for special support payment, maintenance grant and maintenance loan.”

7. In regulation 81(2) (qualifying for grants or maintenance loan during the academic year), for sub-paragraph (a) substitute—

“(a) will only, in the case of a grant, be in respect of the remaining days of the academic year, and, in the case of a maintenance loan, only be in respect of the remaining term days of the academic year, in either case beginning with the day the relevant event occurs, and”

8. In regulation 93 (support reduced for periods spent in prison), for paragraph (2) substitute—

“(2) Where this regulation applies, the amount of grant or maintenance loan payable is reduced by the number of days during the academic year that the eligible student is a prisoner.”

9. In regulation 94 (support reduced for other periods of absence), for paragraph (2) substitute—

“(2) Where this regulation applies, the amount of grant or maintenance loan is reduced by the number of days during the academic year the eligible student is absent from their course.”

10. In regulation 95 (payments when period of eligibility ends or is terminated), for paragraph (1) substitute—

“(1) Where an eligible student’s period of eligibility has ended or has been terminated, any amount of grant or maintenance loan payable in respect of an academic year is reduced by the number of days in the academic year when eligibility has ended or terminated.”

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#### **Commencement Information**

- 11** Reg. 2 in force at 1.8.2018, see [reg. 1\(2\)](#)
- 12** Reg. 3 in force at 1.8.2018, see [reg. 1\(2\)](#)
- 13** Reg. 4 in force at 1.8.2018, see [reg. 1\(2\)](#)
- 14** Reg. 5 in force at 1.8.2018, see [reg. 1\(2\)](#)
- 15** Reg. 6 in force at 1.8.2018, see [reg. 1\(2\)](#)
- 16** Reg. 7 in force at 1.8.2018, see [reg. 1\(2\)](#)
- 17** Reg. 8 in force at 1.8.2018, see [reg. 1\(2\)](#)
- 18** Reg. 9 in force at 1.8.2018, see [reg. 1\(2\)](#)
- 19** Reg. 10 in force at 1.8.2018, see [reg. 1\(2\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Education (Student Support) (Wales) (Amendment) Regulations 2018, PART 2.