

SCHEDULE 2

Regulations 6, 7, 9 and 11

PERSONS

Regulations 6(1), 7 and 9

PART I

Specified persons and excluded persons

1. A person—
 - (a) who attends a specified course during an academic year beginning after 31st August 1994; and
 - (b) who has been—
 - (i) resident on the relevant day in the area of a board and ordinarily resident in the British Islands throughout the three years immediately preceding the first year of the specified course; or
 - (ii) in the case of a person entitled to the payment of an award by virtue of Article 7(2) or (3) or 12 of the Council Regulation ordinarily resident in the European Economic Area throughout the three years immediately preceding the first year of the specified course; and
 - (c) to whom an award has not been made under these Regulations or previous awards regulations by the board in respect of the specified course; and
 - (d) who, if he has previously attended a course of higher education, has attended such a course which was provided by a college listed in Schedule 5.

Regulations 6(1) and 9

PART II

Excluded persons

2. A person who—
 - (a) has, in the opinion of the board, by his conduct shown himself unfitted to hold an award;
 - (b) has, subject to paragraph 1(d), regulation 8(3) and regulation 9(2), previously attended a first degree course,
 - (c) has previously attended one or more than one course of higher education and the aggregate duration of such course or courses which he has attended (excluding any periods of unpaid service or research or of practice undertaken as part of the student's course of the kinds mentioned in paragraph (a) in the definition of "periods of experience" in regulation 3(1) and, in the case of a sandwich course, periods of experience), exceeds two academic years, unless the course which he previously attended or successfully completed was such as is mentioned in paragraph 1(d).
3. Subject to regulation 8(3) the board shall not be under a duty to make an award to any person in respect of his attendance at any course for the Diploma of Higher Education or course for the Higher Diploma if he has previously attended any other course defined in regulation 3(1).