
STATUTORY INSTRUMENTS

1983 No. 188

EDUCATION, ENGLAND AND WALES

The State Awards (Amendment) Regulations 1983

<i>Made</i>	- - - -	<i>16th February 1983</i>
<i>Laid before Parliament</i>		<i>28th February 1983</i>
<i>Coming into Operation</i>		<i>21st March 1983</i>

In exercise of the powers conferred on the Secretary of State by sections 3(b), (c) and (d) and 4 of the Education Act 1962(1), I hereby make the following Regulations:—

1. These Regulations may be cited as the State Awards (Amendment) Regulations 1983 and shall come into operation on 21st March 1983.

2. In these Regulations a reference to the principal Regulations is a reference to the State Awards Regulations 1978.

3.—(1) In Regulation 9 of the principal Regulations (duration of state awards) there shall be inserted at the beginning of paragraph (2)(b) the words “subject to paragraph (2A),”.

(2) After paragraph (2) of the said Regulation 9 there shall be inserted the following provision:—

“(2A) Paragraph (2)(b) shall not apply where the award is tenable in respect of a course at the European University Institute.”.

4. After paragraph (2) of Regulation 10 of the principal Regulations (payments in pursuance of state awards) there shall be inserted the following provision:—

“(2A) Without prejudice to paragraph (1), the Secretary of State may make payments in pursuance of a state award in such instalments (if any) and at such times as he considers appropriate and, in particular, may make provisional payments pending the final determination of such payments; but, where a payment in respect of any period is made in advance or is provisional then, without prejudice to the recovery of an overpayment by way of a deduction from a subsequent payment, any overpayment or underpayment shall be adjusted by payment between the Secretary of State and the holder of the award.”.

(1) the relevant provisions, as amended, are set out in Schedule 5 to the Education Act 1980 (c.20).

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16th February 1983

Keith Joseph
Secretary of State for Education and Science

EXPLANATORY NOTE

These Regulations amend the State Awards Regulations 1978.

Regulation 9(2) of the Regulations of 1978 provides, in general, that the maximum duration of a state award shall be 3 years but, in the case of a person who has previously held a postgraduate award under the Education Act 1962 (or a comparable award paid out of moneys provided by Parliament), this maximum period is reduced by the period for which he held his previous award. Regulation 3 of the present Regulations provides that, in the case of a state award tenable at the European University Institute, the maximum duration shall be 3 years whether or not the person concerned has previously held a postgraduate award.

Regulation 4 of the present Regulations makes express provision for the making of payments on account of a state award by instalments, for the making of provisional payments and for the adjustment of overpayments or underpayments which may arise.