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STATUTORY INSTRUMENTS

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**1998 No. 162**

**EDUCATION, ENGLAND AND WALES**

**The Education (Mandatory Awards)  
(Amendment) Regulations 1998**

*Made* - - - - - *27th January 1998*  
*Laid before Parliament* *28th January 1998*  
*Coming into force* - - - *18th February 1998*

In exercise of the powers conferred by sections 1 and 4(2) of the Education Act 1962<sup>(1)</sup>, the Secretary of State for Education and Employment hereby makes the following Regulations:

1. These Regulations may be cited as the Education (Mandatory Awards) (Amendment) Regulations 1998 and shall come into force on 18th February 1998.

2. In regulation 23(2)(a) of the Education (Mandatory Awards) Regulations 1997<sup>(2)</sup>, there shall be inserted after “his course”:

“or by way of a loan towards his fees or maintenance, which is made or subsidised under the legislation of another member state of the European Community”.

27th January 1998

*Kim Howells*  
Parliamentary Under-Secretary of State,  
Department for Education and Employment

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(1) 1962 c. 12; the relevant provisions, as amended, are set out in Schedule 5 to the Education Act 1980 (c. 20); there is an amendment to section 1(3)(d) which is not relevant to these Regulations.  
(2) S.I.1997/431, to which there is an amending instrument not relevant to these Regulations.

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend regulation 23(2)(a) of the Education (Mandatory Awards) Regulations 1997.

Regulation 23 makes provision to the effect that a local education authority is not required to make a payment under regulation 17 of the Regulations in respect of any year in respect of which the student concerned is an assisted student.

Assisted students are those whose total requirements in respect of fees and maintenance as defined are equal to or exceeded by the total of certain payments he receives. Those payments include (in regulation 23(2)(a)) payments in pursuance of any scholarship, studentship, exhibition or award of similar description bestowed on the student in respect of the course, but exclude any loan under the Education (Student Loans) Act 1990 (c. 6) as amended, and any “Career Development Loan” made in pursuance of section 2 of the Employment and Training Act 1973 (c. 50), as amended.

In order to avoid discrimination against any European student who may receive a loan under the legislation of another member state of the European Community, these Regulations provide that such loans are similarly to be excluded from consideration when deciding whether a student is an assisted student.