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STATUTORY INSTRUMENTS

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**2000 No. 3087**

**EDUCATION, ENGLAND AND WALES**

**The Education (Grants for Disabled Postgraduate Students)  
Regulations 2000 (Amendment) Regulations 2000**

*Made - - - - 20th November 2000*  
*Laid before Parliament 20th November 2000*  
*Coming into force - - 11th December 2000*

The Secretary of State for Education and Employment, in exercise of the powers conferred on the Secretary of State by sections 22(1) and (2), 42(6) and 43(1) of the Teaching and Higher Education Act 1998(1) hereby makes the following Regulations:

1. These Regulations may be cited as the Education (Grants for Disabled Postgraduate Students) Regulations 2000 (Amendment) Regulations 2000 and shall come into force on 11th December 2000.

2. The Education (Grants for Disabled Postgraduate Students) Regulations 2000(2) shall be amended as follows.

3.—(1) In regulation 2(1) in the definition of “eligible student” for the words “attendance at” substitute the word “undertaking”.

(2) In regulation 2(2) for the word “attending” (in each place where it appears) substitute the word “undertaking”.

(3) In regulation 2(6)—

(a) omit the word “attending” (where it first appears); and

(b) for the word “attending” (where it appears for the second time) substitute the word “it”.

4.—(1) in regulation 3(1) for the words “attendance at” (in each place where they appear) substitute the word “undertaking”.

(2) In regulation 3(2)—

(a) in sub-paragraph (a) for the words “attendance on” substitute the word “undertaking”; and

(b) for sub-paragraph (a)(iv) substitute the following:

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(1) 1998 c. 30; section 22 was amended by the Learning and Skills Act 2000 (c. 21), section 146.

(2) S.I.2000/2330.

“(iv) any allowance, bursary or award of similar description made by his institution which includes any payment for the purpose of meeting additional expenditure incurred by the student by reason of his disability; or”.

(3) At the end of regulation 3(4) add the following words:

“unless, in relation to the second and any subsequent academic year of his course, he is not ordinarily resident in England and Wales on the first day of that academic year”.

5. In regulation 4(1)(a) after the words “first degree (or equivalent qualification)” insert the words “or higher”.

6. In regulation 5(4)(a) for the words “attendance at” substitute the word “undertaking”.

7.—(1) In regulation 6(1) for the word “attend” (in each place where it appears) substitute the word “undertake”.

(2) In regulation 6(2) for the words “attendance at” substitute the word “undertaking”.

8. In regulation 8(2)(c)—

(a) for the word “attend” substitute the word “undertake”; and

(b) for the word “return” substitute the words “continue it”.

9. In regulation 9(1) for the words “attendance at” substitute the word “undertaking”.

20th November 2000

*Tessa Blackstone*  
Minister of State,  
Department for Education and Employment

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## EXPLANATORY NOTE

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

These Regulations, which come into force on 11th December 2000, amend the Education (Grants for Disabled Postgraduate Students) Regulations 2000 (“the principal Regulations”).

Following amendment of section 22 of the Teaching and Higher Education Act 1998 by the Learning and Skills Act 2000, the Regulations provide for grant to eligible students undertaking designated courses whether they attend their courses or whether they pursue their courses through open learning. Accordingly, references in the principal Regulations to “attending” or “attendance at” a course are amended at regulations 3, 4 and 6 to 9.

The Regulations also amend the principal Regulations in other respects. Regulation 3(2)(a)(iv) of the principal Regulations is amended so that a person is ineligible for grant where the payment received from his institution to meet additional costs incurred due to his disability is part of an allowance, bursary or other such award made by his institution (regulation 4(2)(b)).

Regulation 3(4) of the principal Regulations is amended so that eligible students must be ordinarily resident in England and Wales on the first day of each academic year, not just at the start of the course (regulation 4(3)).

Regulation 4(1)(a) of the principal Regulations is amended so that postgraduate courses entry for which a qualification higher than a first degree is normally required are designated by regulation 4(1) (regulation 5).