

SCHEDULE 2

Regulation 3

AMENDMENT OF THE 2008 (No. 2) REGULATIONS

Amendment of regulation 13

1. In regulation 13(8) after “regulations 22 and 29,” insert “where the student began the current course before 1st September 2009,”.

Amendment of regulation 64

2. In regulation 64(b) after ““the maintenance grant amount” is”, insert “, unless otherwise stated,”

Amendment of regulation 67

3. In regulation 67(1)(a) after “ regulation 68”, insert “or 68A”.

Amendment of regulation 68

4. For regulation 68, substitute—

“2008 cohort students with full entitlement except type 1 and type 2 teacher training students

68.—(1) This regulation applies to a 2008 cohort student with full entitlement except a type 1 or a type 2 teacher training student.

(2) Subject to Chapter 4 of this Part, where the student’s household income exceeds £61,062 the maximum amount of loan for living costs for which a student to whom this regulation applies qualifies in respect of an academic year other than the final year of a course that is not an intensive course is equal to $X-Y$ where—

X is—

- (i) for a student in category A, £3,673;
- (ii) for a student in category B, £6,643;
- (iii) for a student in category C, £5,653;
- (iv) for a student in category D, £4,745;

Subject to paragraph (4), Y is £1 for every complete £9.27 by which the household income exceeds £61,062.

(3) Subject to Chapter 4 of this Part, where the student’s household income exceeds £61,062, the maximum amount of loan for living costs for which a student to whom this regulation applies qualifies in respect of an academic year that is the final year of a course that is not an intensive course is equal to $X-Y$ where—

X is—

- (i) for a student in category A, £3,319;
- (ii) for a student in category B, £6,048;
- (iii) for a student in category C, £4,915;
- (iv) for a student in category D, £4,391;

Subject to paragraph (4), Y is £1 for every complete £9.27 by which the household income exceeds £61,062.

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(4) Where the same household income is used to assess the amount of a statutory award for which two or more persons qualify, Y in paragraphs (2) and (3) must be divided by the number of such persons before being deducted from X .

(5) Where the maximum amount of loan for living costs is calculated in accordance with paragraph (2) or (3) and is less than the minimum level for the academic year specified in regulation 101, the minimum level for the academic year is payable.

(6) Subject to Chapter 4 of this Part, where the student's household income exceeds £60,032 but does not exceed £61,062, the maximum amount of loan for living costs for which a student to whom this regulation applies qualifies in respect of an academic year other than the final year of a course that is not an intensive course is equal to X where—

X is—

- (i) for a student in category A, £3,673;
- (ii) for a student in category B, £6,643;
- (iii) for a student in category C, £5,653;
- (iv) for a student in category D, £4,745.

(7) Subject to Chapter 4 of this Part, where the student's household income exceeds £60,032 but does not exceed £61,062, the maximum amount of loan for living costs for which a student to whom this regulation applies qualifies in respect of an academic year that is the final year of a course that is not an intensive course is equal to X where—

X is—

- (i) for a student in category A, £3,319;
- (ii) for a student in category B, £6,048;
- (iii) for a student in category C, £4,915;
- (iv) for a student in category D, £4,391.

(8) Subject to Chapter 4 of this Part, where the student's household income is £60,032 or less, the maximum amount of loan for living costs for which a student to whom this regulation applies qualifies in respect of an academic year other than the final year of a course that is not an intensive course is equal to $X-Y$ where—

X is—

- (i) for a student in category A, £3,673;
- (ii) for a student in category B, £6,643;
- (iii) for a student in category C, £5,653;
- (iv) for a student in category D, £4,745;

Y is the maintenance grant amount.

(9) Subject to Chapter 4 of this Part, where the student's household income is £60,032 or less, the maximum amount of loan for living costs for which a student to whom this regulation applies qualifies in respect of an academic year that is the final year of a course that is not an intensive course is equal to $X-Y$ where—

X is—

- (i) for a student in category A, £3,319;
- (ii) for a student in category B, £6,048;
- (iii) for a student in category C, £4,915;
- (iv) for a student in category D, £4,391;

Y is the maintenance grant amount.”

5. After regulation 68, insert—

“Type 1 and type 2 teacher training students who are 2008 cohort students—

68A.—(1) This regulation applies to a 2008 cohort student who is a type 1 or a type 2 teacher training student with full entitlement.

(2) Subject to Chapter 4 of this Part, the maximum amount of loan for living costs for which a student to whom this regulation applies qualifies in respect of an academic year other than the final year of a course that is not an intensive course is equal to $X-(Y+Z)$ where—

X is—

- (i) for a student in category A, £3,673;
- (ii) or a student in category B, £6,643;
- (iii) for a student in category C, £5,653;
- (iv) for a student in category D, £4,745;

Y is the maintenance grant amount;

Subject to paragraph (4), Z is £1 for every complete £9.27 by which the household income exceeds £61,062.

(3) Subject to Chapter 4 of this Part, the maximum amount of loan for living costs for which a student to whom this regulation applies qualifies in respect of an academic year that is the final year of a course that is not an intensive course is equal to $X-(Y+Z)$ where—

X is—

- (i) for a student in category A, £3,319;
- (ii) for a student in category B, £6,048;
- (iii) for a student in category C, £4,915;
- (iv) for a student in category D, £4,391;

Y is the maintenance grant amount;

Subject to paragraph (4), Z is £1 for every complete £9.27 by which the household income exceeds £61,062.

(4) Where the same household income is used to assess the amount of a statutory award for which two or more persons qualify, Z in paragraphs (2) and (3) must be divided by the number of such persons before being deducted from X .

(5) Where the sum of the maximum loan for living costs calculated in accordance with paragraph (2) or (3) and Y is less than the minimum level for the academic year specified in regulation 101, the loan for living costs payable in respect of an academic year to which this regulation applies is calculated as $A-B$ where—

A is the minimum level for the academic year specified in regulation 101

B is—

- (i) for a type 1 teacher training student who qualifies under Chapter 6 of Part 5 for a maintenance grant, £646;
- (ii) for a type 2 teacher training student who qualifies under Chapter 6 or Part 5 for a maintenance grant, £1,292; or
- (iii) where no maintenance grant is payable, nil.

(6) In this regulation, “the maintenance grant amount” is—

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- (a) where the student is a type 1 teacher training student and qualifies under Chapter 6 of Part 5 for—
 - (i) an amount of maintenance grant of £646, £646;
 - (ii) an amount of maintenance grant exceeding £646 but not exceeding £1,292, the amount of maintenance grant payable;
- (b) where the student is a type 2 teacher training student and qualifies under Chapter 6 of Part 5 for an amount of maintenance grant of £1,292, £1,292;
- (c) where the student is a type 1 or a type 2 teacher training student and qualifies under Chapter 6 of Part 5 for an amount of maintenance grant exceeding £1,292, £1,292; and
- (d) where no maintenance grant is payable, nil.”

Amendment of regulation 101

- 6. In regulation 101(1) for “regulation 68(5)”, substitute “regulations 68(5), 68A(5)”.

Amendment of regulation 120

- 7. In regulation 120(1)(a)(i) after “council tax benefit;”, omit “or”.
- 8. In regulation 120(1)(a)(ii) after “ the New Deal;”, insert—
“or
(iii) under Part 1 of the Welfare Reform Act 2007(1) to an income-related employment and support allowance;”.

Amendment of regulation 132

- 9. In regulation 132(9)(a)(i) after “a designated course;”, omit “or”.
- 10. In regulation 132(9)(a)(ii) after “ the current designated distance learning course;”, insert “or”.
- 11. In regulation 132(9)(a)(iii) after “ the current designated part-time course;”, omit “or”.
- 12. In regulation 132(9)(b) after “or as an eligible part-time student”, omit “or”.

Amendment of regulation 137

- 13. In regulation 137(5)(a)(i) after “council tax benefit;”, omit “or”.
- 14. In regulation 137(5)(a)(ii) after “the New Deal;”, insert—
“or
(iii) under Part 1 of the Welfare Reform Act 2007 to an income-related employment and support allowance;”.

Amendment of regulation 140

- 15. In regulation 140(1) after “which the Secretary of State is satisfied”, for “the Secretary of State” substitute “the student”.

(1) 2007 c.5.

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Amendment of Schedule 1

16. In paragraph 4(1)(b) of Schedule 1 for “the Secretary of State”, substitute “ the person”.

Amendment of Schedule 4

17. In paragraph 2(1)(k)(v) of Schedule 4 for “ the Secretary of State”, substitute “A”.