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STATUTORY INSTRUMENTS

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**2008 No. 529**

**The Education (Student Support) Regulations 2008**

**PART 11**

**SUPPORT FOR FULL-TIME DISTANCE LEARNING COURSES**

**Transfer of status**

**126.**—(1) Where an eligible distance learning student transfers to another distance learning course, the Secretary of State must transfer the student's status as an eligible distance learning student to that course where—

- (a) he receives a request from the eligible distance learning student to do so;
- (b) he is satisfied that one or more of the grounds for transfer in paragraph (2) applies; and
- (c) the period of eligibility has not terminated.

(2) The grounds for transfer are—

- (a) the eligible distance learning student starts to undertake another designated distance learning course at the institution;
- (b) the eligible distance learning student starts to undertake a designated distance learning course at another institution; or
- (c) after commencing a designated distance learning course for a first degree (other than an honours degree) the eligible distance learning student is, before the completion of that course, admitted to a designated distance learning course for an honours degree in the same subject or subjects at the institution.

(3) Subject to paragraph (4), an eligible distance learning student who transfers under paragraph (1) is entitled to receive in connection with the academic year of the course to which he transfers the remainder of the support for which the Secretary of State has determined he qualifies in respect of the academic year of the course from which he transfers.

(4) The Secretary of State may re-assess the amount of support payable after the transfer.

(5) An eligible student who transfers under paragraph (1) after the Secretary of State has determined his support in connection with the academic year of the course from which he is transferring but before he completes that year may not apply for another grant under regulation 119(1)(b) or regulation 122 in connection with the academic year of the course to which he transfers.

(6) Where a student transfers under paragraph (1), the maximum amount of support under regulation 119(1)(a) in respect of the academic years to and from which he transfers is the amount of support available in connection with the course with the highest actual fees as defined in regulation 119.