
STATUTORY INSTRUMENTS

2009 No. 1555

The Education (Student Support) Regulations 2009

PART 8

FINANCIAL ASSESSMENT

Calculation of contribution

96.—(1) An eligible student's contribution in respect of an academic year is the amount, if any, calculated under Schedule 4.

(2) For the purposes of the exercise of the Secretary of State's functions under the 1998 Act and regulations made under it the Secretary of State may require an eligible student to provide from time to time such information as the Secretary of State considers necessary as to the income of any person whose means are relevant to the assessment of the student's contribution.

Application of contribution – 2008 or 2009 cohort students

97. In the case of a 2008 or 2009 cohort student, the Secretary of State must apply the contribution in accordance with regulation 100.

Application of contribution – current system students who are not 2008 or 2009 cohort students

98. In the case of a current system student who is not a 2008 or 2009 cohort student, the Secretary of State must apply the contribution in accordance with regulation 101.

Application of contribution – old system students

99.—(1) Subject to paragraph (3), where the basic amount of the grant for fees has been calculated in accordance with regulation 31(1) or 32(1), to determine the actual amount of grant for fees that is payable, the Secretary of State must first apply the contribution to reduce the basic amount of the grant for fees.

(2) If the contribution is not extinguished under paragraph (1), the Secretary of State must apply the remainder in accordance with regulation 101.

(3) Where the course is a course for the initial training of teachers (other than a course for a first degree), there is no deduction from the basic amount of the grant for fees under this regulation and the contribution is applied in accordance with regulation 101.

(4) Where the basic amount of the grant for fees has been calculated in accordance with regulation 31(2) or regulation 32(2) and one of the cases set out in regulation 24(3)(b) or (d) applies, to determine the actual amount of the grant for fees that is payable, the Secretary of State must—

- (a) first, apply the contribution to reduce the basic amount of the grant for fees;

- (b) second, if the contribution is not extinguished, deduct an amount equal to the basic amount of the grant for fees from what is left of the contribution reducing the remainder of the contribution to no less than nil; and
- (c) third, if the contribution is still not extinguished, apply the remainder in accordance with regulation 101.

(5) In the case of an Erasmus year, the Secretary of State must apply the amount by which the contribution exceeds £1,310 in accordance with regulation 101.

(6) Where none of the circumstances in paragraphs (1) to (5) apply, the contribution is applied in accordance with regulation 101.

Order of application – 2008 or 2009 cohort students

100. The contribution or the remainder of the contribution, as the case may be, is to be applied as follows—

- (a) first, to reduce the amount of adult dependants’ grant calculated in accordance with regulation 47;
- (b) second, to reduce the childcare grant calculated in accordance with regulation 47;
- (c) third, to reduce the parents’ learning allowance calculated in accordance with regulation 47 (except the first £50 of the allowance);
- (d) fourth, to reduce the long courses loan calculated in accordance with Chapter 3 of Part 6;
- (e) fifth, to reduce the grant for travel calculated in accordance with Chapter 5 of Part 5.

Order of application – other eligible students

101. The contribution or the remainder of the contribution, as the case may be, is to be applied as follows—

- (a) first, to reduce the amount of adult dependants’ grant calculated in accordance with regulation 47;
- (b) second, to reduce the childcare grant calculated in accordance with regulation 47;
- (c) third, to reduce the parents’ learning allowance calculated in accordance with regulation 47 (except the first £50 of the allowance);
- (d) fourth, to reduce the loan for living costs for which the eligible student (other than a student with reduced entitlement) qualifies under Part 6 to no less than the minimum level for the academic year specified in regulation 102;
- (e) fifth, to reduce the grant for travel calculated in accordance with Chapter 5 of Part 5.

Minimum level of loan for living costs

102.—(1) Subject to paragraphs (2) and (5), for a student other than a 2009 cohort student, the “minimum level for the academic year” in regulations 70(5), 71(5) and 101(d) is—

- (a) £2,755, in the case of a student in category A;
- (b) £4,982, in the case of a student in category B;
- (c) £4,240, in the case of a student in category C;
- (d) £3,559, in the case of a student in category D.

(2) Subject to paragraph (5), for a student other than a 2009 cohort student, where the academic year in question is the final year of a course other than an intensive course, the “minimum level for the academic year” in regulations 70(5), 71(5) and 101(d) is—

- (a) £2,489, in the case of a student in category A;
- (b) £4,536, in the case of a student in category B;
- (c) £3,686, in the case of a student in category C;
- (d) £3,293, in the case of a student in category D.

(3) Subject to paragraphs (4) and (5), for a 2009 cohort student the “minimum level for the academic year” in regulations 72(5) and 73(5) is—

- (a) £2,763, in the case of a student in category A;
- (b) £4,988, in the case of a student in category B;
- (c) £4,244, in the case of a student in category C;
- (d) £3,564, in the case of a student in category D.

(4) Subject to paragraph (5), for a 2009 cohort student where the academic year in question is the final year of a course other than an intensive course, the “minimum level for the academic year” in regulations 72(5) and 73(5) is—

- (a) £2,508, in the case of a student in category A;
- (b) £4,541, in the case of a student in category B;
- (c) £3,690, in the case of a student in category C;
- (d) £3,300, in the case of a student in category D.

(5) Where different categories apply for different quarters of the academic year, the minimum levels in paragraphs (1) to (4) are the aggregate of the amounts determined under paragraph (6) for each of the quarters in respect of which a loan is payable.

(6) The amount determined for each quarter is one third of the amount in paragraph (1), (2), (3) or (4) which corresponds to the rate applicable for the quarter.

(7) The rate applicable for a quarter is determined in accordance with regulation 80.

(8) Categories A to D have the meaning given in regulation 87.

Amount of loan for living costs payable to certain type 1 and type 2 teacher training students

103.—(1) This regulation applies to type 1 and type 2 teacher training students who qualify for a maintenance grant and whose contribution exceeds nil.

(2) This regulation does not apply to 2008 or 2009 cohort students.

(3) The loan for living costs payable in respect of an academic year to a student to whom this regulation applies is calculated as follows—

A – B

where

A is the amount of loan for living costs left after applying the contribution in accordance with this Part; and

B is the amount of maintenance grant payable to the student.