
STATUTORY INSTRUMENTS

2009 No. 1555

The Education (Student Support) Regulations 2009

PART 4

FEE SUPPORT

CHAPTER 4

GRANTS FOR FEES FOR OLD SYSTEM STUDENTS

Old system students who are transferring students

26.—(1) Subject to paragraph (2), this regulation applies to an old system student who—

- (a) began a designated course on or after 1st September 2006 and is continuing on that course after 31st August 2010; or
- (b) begins a designated course on or after 1st September 2010,

and whose status as an eligible student has been transferred to the course as a result of one or more transfers of that status by the Secretary of State pursuant to regulations made by the Secretary of State under section 22 of the 1998 Act from a designated course that the student began before 1st September 2006 (a “transferring student”).

(2) This regulation does not apply where an eligible student has transferred from a course in relation to which that student was a gap year student to another designated course in accordance with regulations made by the Secretary of State under section 22 of the 1998 Act.

(3) Where in the course of assessing an application for support in respect of an academic year of the relevant course, the Secretary of State determined in accordance with regulations made by the Secretary of State under section 22 of the 1998 Act that the student did not qualify for fee support in respect of that course, a transferring student does not qualify for a grant for fees in respect of any academic year of the current course.

(4) In this regulation, the “relevant course” is the designated course that the student was taking as at 31st August 2006.

(5) A transferring student does not qualify for a grant for fees in respect of a designated course if the designated course is an old flexible postgraduate course for the initial training of teachers.

(6) A transferring student does not qualify for a grant for fees in respect of an academic year of a designated course that is a bursary year or an Erasmus year.

(7) When assessing an application for support in respect of an academic year of a designated course, the Secretary of State must determine the “standard entitlement”.

(8) The standard entitlement is calculated as follows where the course began before 1st September 2007 and is not a course listed in paragraph (11)—

$$(RAY - X) + 1$$

where

RAY is the number of standard academic years of the relevant course that remain after 31st August 2006,

X is the number of academic years of the relevant course that remain after 31st August 2006 in respect of which the Secretary of State determined in accordance with regulations made by the Secretary of State under section 22 of the 1998 Act that the student did not qualify for a grant for fees in the course of assessing an application for support in respect of an academic year of the relevant course where that year began before 1st September 2006.

(9) The standard entitlement is calculated as follows where the course begins on or after 1st September 2007 and is not a course listed in paragraph (11)—

$$(RAY - X - SS) + 1$$

where

RAY is the number of standard academic years of the relevant course that remain after 31st August 2006,

X is the number of academic years of the relevant course that remain after 31st August 2006 in respect of which the Secretary of State determined in accordance with regulations made by the Secretary of State under section 22 of the 1998 Act that the student did not qualify for a grant for fees in the course of assessing an application for support in respect of an academic year of the relevant course where that year began before 1st September 2006,

SS is the number of academic years of study that the student has taken from and including 1st September 2006 in respect of which the student qualified for fee support (excluding any years of repeat study for compelling personal reasons) or which were bursary years or Erasmus years.

(10) The standard entitlement is calculated as follows where the course is one listed in paragraph (11)—

$$OD + 1$$

where

OD is the number of academic years that make up the ordinary duration of the designated course.

(11) The courses are—

- (a) a course for the degree (including an honours degree) of Bachelor of Education where the student has transferred to that course from a course for the Certificate in Education on or before the completion of the latter course;
- (b) a course for the honours degree of Bachelor of Education where the student has transferred to that course from a course for the degree (other than an honours degree) of Bachelor of Education on or before the completion of the latter course.

(12) When assessing an application for support in respect of an academic year of a designated course, the Secretary of State must allocate a grant for fees from the standard entitlement first to the final standard academic year of the course and then to each preceding standard academic year in turn until the standard entitlement is exhausted or a grant for fees has been allocated to each standard academic year of the course.

(13) A transferring student qualifies for a grant for fees in respect of a standard academic year of the designated course if the Secretary of State allocates a grant for fees to that year when assessing the application for support for that year.

(14) The amount of the grant for fees in respect of an academic year is determined in accordance with regulation 31, 32 or 33 and may be nil.