
STATUTORY INSTRUMENTS

2011 No. 1986

The Education (Student Support) Regulations 2011

PART 12

SUPPORT FOR POSTGRADUATE STUDENTS WITH DISABILITIES

Designated postgraduate courses

161.—(1) A postgraduate course is designated for the purposes of section 22(1) of the 1998 Act and regulation 159 if—

- (a) it is a course for entry to which a first degree (or equivalent qualification) or higher is normally required;
 - (b) it is a course—
 - (i) of at least one academic year's duration; and
 - (ii) in the case of a part-time course, it is ordinarily possible to complete the course in not more than—
 - (aa) twice the period ordinarily required to complete the full-time equivalent where the course begins before 1st September 2012 or the student transfers to the current course pursuant to regulation 163 from a course beginning before 1st September 2012; or
 - (bb) four times the period ordinarily required to complete the full-time equivalent where the course begins on or after 1st September 2012;
 - (c) it is wholly provided by a publicly funded educational institution or institutions in the United Kingdom or provided by such an institution or institutions in conjunction with an institution or institutions outside the United Kingdom; and
 - (d) it is not a course for the initial training of teachers or a course taken as part of an employment-based teacher training scheme.
- (2) For the purposes of paragraph (1)—
- (a) a course is provided by an institution if it provides the teaching and supervision which comprise the course, whether or not it has entered an agreement with the student to provide the course;
 - (b) a university and any constituent college or institution in the nature of a college of a university is to be regarded as publicly funded if either the university or the constituent college or institution is publicly funded; and
 - (c) an institution is not to be regarded as publicly funded by reason only that it receives public funds from the governing body of a higher education institution in accordance with section 65(3A) of the Further and Higher Education Act 1992(1).
- (3) For the purposes of paragraph (1)(b)(ii)—

(1) 1992 c.13; section 65(3A) was inserted by the Teaching and Higher Education Act 1998 (c.30), section 27.

- (a) “full-time equivalent” means a full-time postgraduate course leading to the same qualification as the part-time postgraduate course in question;
 - (b) “period ordinarily required to complete the full-time equivalent” means the period that a standard full-time student would require to complete the full-time equivalent;
 - (c) “standard full-time student” means a student who is to be taken—
 - (i) to have begun the full-time equivalent on the same date as the eligible postgraduate student began the part-time postgraduate course in question;
 - (ii) not to have been excused any part of the full-time equivalent;
 - (iii) not to have repeated any part of the full-time equivalent; and
 - (iv) not to be absent from the full-time equivalent other than during vacations.
- (4) For the purposes of section 22 of the 1998 Act and regulation 159, the Secretary of State may designate courses of higher education which are not designated under paragraph (1).