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WELSH STATUTORY INSTRUMENTS

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**2006 No. 126**

**The Assembly Learning Grants and Loans  
(Higher Education) (Wales) Regulations 2006**

**PART 5**

**LOANS FOR FEES**

**General qualifying conditions for loans for fees**

**15.**—(1) An eligible student qualifies for a loan for fees in connection with the student's attendance on a designated course under this Part provided that the student is not excluded from qualification by the following paragraph, regulation 6 or regulation 7.

- (2) An eligible student does not qualify for a loan for fees in respect of an academic year if—
- (a) in relation to that year he or she is eligible to receive any payment under a healthcare bursary the amount of which is calculated by reference to his or her income;
  - (b) in relation to that year he or she is eligible to receive a Scottish healthcare allowance the amount of which is calculated by reference to his or her income;
  - (c) he or she is participating in the action scheme of the European Community for the mobility of university students known as ERASMUS(1) and—
    - (i) his or her course is a course referred to in regulation 5(1)(d); and
    - (ii) all the periods of study during the academic year are at an institution outside the United Kingdom; or
  - (d) he or she is undertaking a flexible postgraduate ITT course.

**Fee contribution loans**

**16.**—(1) Subject to paragraph (7), an old system eligible student qualifies in accordance with this regulation for a fee contribution loan in respect of the fees payable by him or her in respect of, or otherwise in connection with his or her attendance on a designated course.

(2) Where an old system eligible student applies for a grant for fees and a fee contribution loan, the amount of the fee contribution loan in respect of an academic year of the designated course is the amount for which the student applies not exceeding the amount deducted from his or her grant for fees in accordance with regulation 46.

(3) Where the only fee support for which an old system eligible student applies is a fee contribution loan, the amount of that loan in respect of an academic year of the designated course is the amount for which the student applies not exceeding £1,200 or, if any of the circumstances in regulation 13(2) apply, £600.

(4) An old system eligible student may apply to borrow an additional amount of fee contribution loan where—

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(1) ERASMUS is part of the European Community action programme SOCRATES; OJ No L28, 3.2.2000, p1.

- (i) the National Assembly determines that the maximum amount of fee contribution loan which has been notified to the student in relation to an academic year should be increased (including an increase from nil) as a result of a reassessment of the student's contribution or otherwise; and
- (ii) the National Assembly considers that the increase in the maximum amount does not result from the old system eligible student—

- (aa) failing to provide information promptly which might affect his or her ability to qualify for a fee contribution loan for which he or she qualifies; or

- (bb) providing information which is inaccurate in any material particular.

(5) The additional amount in paragraph (4) is an amount which when added to the amount already applied for does not exceed the increased maximum.

(6) Where an old system eligible student has applied for a fee contribution loan of less than the maximum amount to which he is entitled in relation to the academic year, he or she may apply to borrow an additional amount which, when added to the amount already applied for, does not exceed the relevant maximum applicable in his or her case.

(7) Paragraph (1) does not apply to an eligible student undertaking a course at a private institution or at Heythrop College.

## Fee loans

17.—(1) A new system eligible student qualifies in accordance with this regulation for a loan in respect of the fees payable by him or her in respect of, or otherwise in connection with his or her attendance on a designated course.

(2) The amount of a fee loan in respect of an academic year of a designated course must not exceed the lesser of—

- (a) £3,000 or, where one of the circumstances in paragraph (3) applies, £1,500; and
- (b) the fees payable by the student in respect of, or otherwise in connection with, that year.

(3) The maximum amount of the fee loan in respect of an academic year is £1,500 in the cases specified in regulation 13(2).

(4) If the student's status as an eligible student is transferred from one designated course to another under these Regulations and one of the circumstances in paragraph (5) applies, the student may borrow an additional amount by way of fee loan in respect of the academic year of the course to which he or she transfers.

(5) The circumstances are—

- (a) the fees payable in respect of the academic year of the course to which the new system student transfers exceed the fees payable in respect of the academic year of the course from which the student has transferred; or
- (b) the academic year of the course to which the new system student transfers begins on a later date than the academic year of the course from which he or she has transferred.

(6) Where paragraph (5)(a) applies, the additional amount that the new system eligible student may borrow in respect of the academic year to which he or she transfers must not exceed an amount equal to the fees payable by him or her in respect of that academic year less the amount of any fee loan he or she has taken out in respect of the academic year from which he or she has transferred.

(7) Where paragraph (5)(b) applies, the additional amount that the new system eligible student may borrow in respect of the academic year to which he or she transfers must not exceed the lesser of—

- (a) £3,000 or, where one of the circumstances in regulation 13(2) applies, £1,500; and
- (b) the fees payable by the student in respect of, or otherwise in connection with, that year.

(8) Where a new system eligible student has applied for a fee loan of less than the maximum amount available in relation to an academic year, he or she may apply to borrow an additional amount which when added to the amount already applied for does not exceed the relevant maximum applicable in his or her case.