
WELSH STATUTORY INSTRUMENTS

2006 No. 126

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

PART 7

LOANS FOR LIVING COSTS

Qualifying conditions for loans for living costs

31.—(1) An eligible student qualifies for a loan for living costs in connection with the student's attendance on a designated course if the student satisfies the condition in paragraph (2) and is not excluded by paragraph (3) or regulation 7.

(2) The condition referred to in paragraph (1) is that the eligible student is under the age of 60 on the relevant date.

(3) An eligible student does not qualify for a loan for living costs if the only paragraph from 1 to 8 of Schedule 1 into which the student falls is paragraph 7.

Maximum amount of loans for old system eligible students with full entitlement

32.—(1) Subject to regulations 36 to 41, the maximum amount of loan for living costs for which an old system eligible student with full entitlement qualifies in respect of an academic year (other than the final year of an accelerated course) is—

- (a) for a student in category 1, £3,415;
- (b) for a student in category 2, £6,170;
- (c) for a student in category 3, £5,255;
- (d) for a student in category 4, £5,255;
- (e) for a student in category 5, £4,405.

(2) Subject to regulations 36 to 41, the maximum amount of loan for living costs for which an old system eligible student with full entitlement qualifies in respect of an academic year which is the final year of a course other than an accelerated course is—

- (a) for a student in category 1, £3,085;
- (b) for a student in category 2, £5,620;
- (c) for a student in category 3, £4,570;
- (d) for a student in category 4, £4,570;
- (e) for a student in category 5, £4,080.

Maximum amount of loans for new system eligible students with full entitlement

33.—(1) This regulation applies to a new system eligible student with full entitlement other than a type 1 or type 2 teacher training student with a household income exceeding £37,900.

(2) Subject to regulations 36 to 41, the maximum amount of loan for living costs for which a student to whom this regulation applies qualifies in respect of an academic year (other than a final year of a course that is not an accelerated course) is equal to **(X–Y)**—

Where

X is—

- (i) for a student in category 1, £3,415;
- (ii) for a student in category 2, £6,170;
- (iii) for a student in category 3, £5,255;
- (iv) for a student in category 4, £5,255;
- (v) for a student in category 5, £4,405;

Y is the maintenance grant amount.

(3) Subject to regulations 36 to 41, the maximum amount of loan for living costs for which a student to whom this regulation applies qualifies in respect of an academic year that is the final year of a course that is not an accelerated course is equal to **(X–Y)**—

Where

X is—

- (i) for a student in category 1, £3,085;
- (ii) for a student in category 2, £5,620;
- (iii) for a student in category 3, £4,570;
- (iv) for a student in category 4, £4,570;
- (v) for a student in category 5, £4,080;

Y is the maintenance grant amount.

(4) In this regulation, “the maintenance grant amount” (“*swm y grant cynhaliaeth*”) is—

- (a) where the student qualifies under regulation 29 for an amount of maintenance grant not exceeding £1,200, the amount of maintenance grant payable;
- (b) where the student qualifies under regulation 29 for an amount of maintenance grant exceeding £1,200, £1,200; and
- (c) where no maintenance grant is payable, nil.

34.—(1) This regulation applies to a type 1 and type 2 teacher training student with a household income exceeding £37,900.

(2) Subject to regulations 36 to 41, the maximum amount of loan for living costs for which a student to whom this regulation applies qualifies in respect of an academic year (other than the final year of a course that is not an accelerated course) is—

- (a) for a student in category 1, £3,415;
- (b) for a student in category 2, £6,170;
- (c) for a student in category 3, £5,255;
- (d) for a student in category 4, £5,255;
- (e) for a student in category 5, £4,405.

(3) Subject to regulations 36 to 41, the maximum loan for living costs for which a student to whom this regulation applies qualifies in respect of an academic year of a course (other than the final year of a course that is not an accelerated course) is—

- (a) for a student in category 1, £3,085;

- (b) for a student in category 2, £5,620;
- (c) for a student in category 3, £4,570;
- (d) for a student in category 4, £4,570;
- (e) for a student in category 5, £4,080.

Students with reduced entitlement

35.—(1) Subject to regulations 36 to 41, the maximum amount of loan for living costs for which a student with reduced entitlement qualifies in respect of an academic year of a course (other than the final year of a course than is not an accelerated course) is—

- (a) where the student falls within regulation 18(3)(a) or 18(3)(b)—
 - (i) for a student in category 1, £1,620;
 - (ii) for a student in category 2, £3,030;
 - (iii) for a student in category 3, £2,160;
 - (iv) for a student in category 4, £2,160;
 - (v) for a student in category 5, £2,160;
- (b) where the student falls within regulation 18(3)(c) or 18(5)—
 - (i) for a student in category 1, £1,620;
 - (ii) for a student in category 2, £3,030;
 - (iii) for a student in category 3, £2,585;
 - (iv) for a student in category 4, £2,585;
 - (v) for a student in category 5, £2,160;
- (c) where the student applies for a loan for living costs and opts not to provide details of the income of his or her household—
 - (i) for a student in category 1, £2,560;
 - (ii) for a student in category 2, £4,630;
 - (iii) for a student in category 3, £3,940;
 - (iv) for a student in category 4, £3,940;
 - (v) for a student in category 5, £3,905.

(2) Subject to regulations 36 to 41, the maximum amount of loan for living costs for which a student with reduced entitlement qualifies in respect of an academic year that is the final year of a course that is not an accelerated course is—

- (a) where the student falls within regulation 18(3)(a) or 18(3)(b)—
 - (i) for a student in category 1, £1,230;
 - (ii) for a student in category 2, £2,320;
 - (iii) for a student in category 3, £1,680;
 - (iv) for a student in category 4, £1,680;
 - (v) for a student in category 5, £1,680;
- (b) where the student falls within regulation 18(3)(c) or 18(5)—
 - (i) for a student in category 1, £1,320;
 - (ii) for a student in category 2, £2,320;
 - (iii) for a student in category 3, £1,885;

- (iv) for a student in category 4, £1,855;
- (v) for a student in category 5, £1,680;
- (c) where the student applies for a loan for living costs and opts not to provide details of the income of his or her household—
 - (i) for a student in category 1, £2,315;
 - (ii) for a student in category 2, £4,215;
 - (iii) for a student in category 3, £3,430;
 - (iv) for a student in category 4, £3,430;
 - (v) for a student in category 5, £3,060.

Students residing with parents

36.—(1) Subject to paragraph (2), where an eligible student resides at his or her parents' home and the National Assembly is satisfied that in all the circumstances the student's parents by reason of age, incapacity or otherwise cannot reasonably be expected to support the student and that it would be appropriate for the amount of loan payable to a student in a category other than category 1 to apply in his or her case, the student must be treated as if the student were not residing at the student's parents' home.

(2) Paragraph (1) does not apply to an eligible student who begins a course on or after 1 September 2004.

(3) Where an eligible student is a member of a religious order who resides in a house of his or her order the student is treated as if the student were residing at the student's parents' home.

Loans for living costs payable in respect of three quarters of the academic year

37. A loan is payable in respect of three quarters of the academic year and is not payable in respect of the quarter in which, in the opinion of the National Assembly, the longest of any vacations occurs.

Students falling into more than one category

38.—(1) Where a student falls into more than one of the categories in regulation 35 in the course of the academic year—

- (a) the maximum amount of loan for the academic year is the aggregate of the maximum amount of loan for each quarter in respect of which the loan is payable;
- (b) the maximum amount of loan for each such quarter is one third of the maximum amount of loan which would apply for the academic year if the student fell into the category which applies to the relevant quarter for the duration of the academic year; and
- (c) subject to paragraph (2), the category which applies to a quarter is—
 - (i) the category into which the student falls for the longer or longest period in that quarter; or
 - (ii) if the student falls into more than one category for an equal period in that quarter, the category with the higher or highest rate of loan for the academic year.

(2) Category 3 cannot be the category applicable to a quarter unless the student is attending an overseas institution for at least half of the period covered by that quarter.

Students becoming eligible during the course of an academic year

39.—(1) Where a student becomes an eligible student during the course of an academic year as a result of one of the events listed in paragraph (2), the student may qualify for a loan for living costs in respect of such quarters of that academic year in respect of which a loan for living costs is payable as begin after the relevant event in paragraph (2) occurs.

(2) The events referred to in paragraph (1) are—

- (a) the student's course becomes a designated course; or
- (b) the student, the student's spouse, the student's civil partner or the student's parent is recognised as a refugee or is granted leave to enter or remain as mentioned in paragraph 3 of Schedule 1.

(3) An eligible student to whom paragraph (1) applies does not qualify for a loan for living costs in respect of any academic year beginning before the academic year in which the relevant event occurred.

(4) The maximum amount of loan for living costs payable is the aggregate of the maximum amount of loan for each quarter in respect of which the student qualifies for support under this regulation.

(5) The maximum amount of loan for each such quarter is one third of the maximum amount of loan which would apply for the academic year if the student fell into the category which applies to the relevant quarter for the duration of the academic year.

Increases in maximum amount

40.—(1) Where an eligible student is required to attend his or her course for a period exceeding 30 weeks and 3 days in an academic year, the maximum amount of loan for living costs specified in regulations 32 to 35 must be increased for each week or part week of attendance in that academic year beyond 30 weeks and 3 days as follows:

- (a) for a student in category 1, by £51;
- (b) for a student in category 2, by £98;
- (c) for a student in category 3, by £107;
- (d) for a student in category 4, by £107;
- (e) for a student in category 5, by £77.

(2) Where an eligible student attends his or her course for a period of not less than 45 weeks in any continuous period of 52 weeks the amount of loan for living costs specified in regulations 32 to 35 must be increased for each week during the 52 week period during which the student did not attend by the amounts referred to in paragraph (1).

(3) This regulations does not apply in the case of a student with reduced entitlement.

Deductions from loans for living costs

41.—(1) A deduction from the amount of loan for living costs calculated under this Part in respect of an old system eligible student with full entitlement or a new system eligible student with full entitlement may be made from the loan for living costs in accordance with regulation 46.

(2) A deduction from the amount of loan for living costs calculated under this Part in respect of a student with reduced entitlement may not be made under regulation 46.

Interpretation of Part 7

42.—(1) In this regulation—

- (a) a student is in category 1 if the student resides at his or her parents' home while attending the designated course;
- (b) a student is in category 2 if he or she is not in category 1 and attends one or more of the following—
 - (i) a course at the University of London;
 - (ii) a course at an institution which requires attendance for at least half the time in aggregate of any quarter of the course in the academic year at a site wholly or partly within the area comprising the City of London and the former Metropolitan Police District; or
 - (iii) a sandwich course at an institution which requires the eligible student to undertake work experience or a combination of work experience and study provided that the student undertakes such work experience or combination of work experience and study for at least half the time in aggregate of any quarter of the course in the academic year at a site or sites wholly or partly within the area comprising the City of London and the former Metropolitan Police District;
- (c) a student is in category 3 if the student is not in category 1 and attends an overseas institution as part of his or her course for at least eight consecutive weeks in the academic year;
- (d) a student is in category 4 if the student is not in category 1 and attends the British Institute in Paris;
- (e) a student is in category 5 if the student is not in categories 1 to 4.
- (f) a “new system eligible student with full entitlement” (*“myfyriwr cymwys dan y drefn newydd sydd â hawlogaeth lawn”*) is a new system eligible student other than a student with reduced entitlement;
- (g) an “old system eligible student with full entitlement” (*“myfyriwr cymwys dan yr hen drefn sydd â hawlogaeth lawn”*) is an old system eligible student other than a student with reduced entitlement;
- (h) the “relevant date” (*“y dyddiad perthnasol”*) means the first day of the first year of the specified designated course;
- (i) a “student with reduced entitlement” (*“myfyriwr sydd â hawlogaeth wedi ei gostwng”*) is an eligible student who
 - (i) is not eligible for a grant for living or other costs by virtue of regulation 18(3)(a) or 18(3)(b);
 - (ii) is not eligible for a grant for living costs by virtue of regulation 18(3)(c) or 18(5); or
 - (iii) opts when applying for a loan for living costs not to provide details of the income of his or her household;
 - (iv) where the duration of a course for the initial training of teachers is only one academic year, that year is not to be treated as the final year.