
WELSH STATUTORY INSTRUMENTS

2008 No. 3170

The Assembly Learning Grants and Loans (Higher Education) (Wales) (No.2) Regulations 2008

PART 4

GRANTS AND LOANS FOR FEES

Chapter 1

GENERAL PROVISION

Fee Support Generally

12.—(1) Support under this Part in respect of an academic year may not exceed the fees payable by the student in respect of that academic year.

(2) To receive a loan under these Regulations the student must enter into a contract with the Welsh Ministers on terms to be decided by the Welsh Ministers.

(3) For the purposes of calculating the amount of fee support under this Part, an institution that provides courses designated by regulation 4 of the Education (Student Support) (Dance and Drama) Regulations 1999⁽¹⁾ 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⁽²⁾.

(4) A student to whom paragraph (5) applies is treated as if he or she were in attendance on the designated course for the purpose of qualifying for fee support.

(5) This paragraph applies to—

- (a) a compressed degree student;
- (b) a disabled student who—
 - (i) is not a compressed degree student; and
 - (ii) is undertaking a designated course in the United Kingdom but is not in attendance because he or she is unable to attend for a reason which relates to his or her disability.

Students becoming eligible during the course of an academic year

13. Where any of the events listed in regulation 14 occurs in the course of an academic year—

- (a) a student may qualify for grants and loans under this Part in respect of that academic year provided that the relevant event occurred within the first three months of the academic year; and
- (b) such grants and loans are not available in respect of any academic year beginning before the academic year in which the relevant event occurred.

(1) S.I.1999/2263, amended by S.I. 2001/2893.

(2) 1992 c. 13; section 65(3A) was inserted by the Teaching and Higher Education Act 1998 (c. 30), section 27.

Events

14. The events are—

- (a) the student's course becomes a designated course;
- (b) the student, his or her spouse, his or her civil partner or his or her parent is recognised as a refugee or becomes a person with leave to enter or remain;
- (c) a state accedes to the European Community where the student is a national of that state or a family member (as defined in Part 1 of Schedule 1) of a national of that state;
- (d) the student becomes a family member (as defined in Part 1 of Schedule 1) of an EC national;
- (e) the student acquires the right of permanent residence;
- (f) the student becomes the child of a Turkish worker;
- (g) the student becomes a person described in paragraph 6(1)(a) of Schedule 1; or
- (h) the student becomes the child of a Swiss national.