
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 3

LOANS FOR FEES

General qualifying conditions for loans for fees

19.—(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) that year is a bursary year or an Erasmus year; or
 - (b) the designated course is an old flexible postgraduate ITT course.

Fee contribution loans (for old system eligible students)

20.—(1) An old system eligible student qualifies for a fee contribution loan in respect of an academic year of a designated course if—

- (a) he or she qualifies for a grant for fees in respect of that year or would have qualified if he or she had applied for the grant (even if the amount would have been nil); and
- (b) the designated course is provided by or on behalf of an institution that was publicly funded as at 1 August 2005.

(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 54.

(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 £1,285 or, if any of the circumstances in regulation 16(4) apply, £640.

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

- (a) the Welsh Ministers determine 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

(b) the Welsh Ministers consider that the increase in the maximum amount does not result from the old system eligible student —

- (i) 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
- (ii) 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 or she 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.

Fee loans: new system eligible students not qualifying for new fee grant

21.—(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) £3,225 or, where one of the circumstances in paragraph 16(4) applies, £1,610; and
- (b) the fees payable by the student in respect of, or otherwise in connection with, that year.

(3) 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 (4) 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.

(4) The circumstances are—

- (a) the fees payable in respect of the academic year of the course to which the new system eligible student transfers exceed the fees payable in respect of the academic year of the course from which the student has transferred; and
- (b) the academic year of the course to which the new system eligible student transfers does not begin on a later date than the academic year of the course from which he or she has transferred.

(5) Where paragraph (4)(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.

(6) Where paragraph (4)(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) £3,225 or, where one of the circumstances in regulation 16(4) applies, £1,610; and
- (b) the fees payable by the student in respect of, or otherwise in connection with, that year.

(7) 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.

(8) This regulation does not apply in relation to a student if he or she qualifies for a new fee grant and the course is a qualifying designated course.

Fee loans: Students qualifying for new fee grant

22.—(1) A student who qualifies for a new fee grant may apply under this regulation for a loan in respect of his or her attendance on the qualifying designated course.

(2) The maximum amount of loan available under this regulation is the lesser of—

- (a) £1,285 or, where any of the circumstances in regulation 16(4) apply, £640; and
- (b) the remainder of the fees payable by the student less an amount equal to the new fee grant in respect of or otherwise in connection with that year.

(3) Where the 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 that maximum.

(4) If the student's status as an eligible student is transferred from a qualifying designated course to another qualifying designated course 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 eligible student transfers exceed the fees payable in respect of the academic year of the course from which the student has transferred; and
- (b) the academic year of the course to which the eligible student transfers does not begin 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 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 and/or any new fee grant that he or she has received in respect of the academic year from which he or she has transferred.

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

- (a) £3,225 or, where one of the circumstances in regulation 16(4) applies, £1,610; and
- (b) the remainder of fees payable by the student less an amount equal to the new fee grant in respect of, or otherwise in connection with, that year.