
WELSH STATUTORY INSTRUMENTS

2008 No. 3170

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

PART 11

SUPPORT FOR FULL-TIME DISTANCE LEARNING COURSES

Overpayments

78.—(1) Any overpayment of a grant in respect of fees is recoverable by the Welsh Ministers from the academic authority.

(2) An eligible distance learning student must, if so required by the Welsh Ministers, repay any amount paid to him or her under this Part which for whatever reason exceeds the amount of grant to which he or she is entitled under this Part.

(3) The Welsh Ministers must recover an overpayment of grant for books, travel and other expenditure and grant for disabled distance learning students' living costs unless they consider that it is not appropriate to do so.

(4) The methods of recovery are—

- (a) subtracting the overpayment from any kind of grant payable to the student from time to time pursuant to regulations made by the Welsh Ministers under section 22 of the Act;
- (b) taking such other action for the recovery of an overpayment as is available to the Welsh Ministers.

(5) A payment of the grant for disabled distance learning students' living costs made before the relevant date is an overpayment if the student withdraws from the course before the relevant date unless the Welsh Ministers decide otherwise.

(6) In this regulation, the “relevant date” (“*dyddiad perthnasol*”) is the date on which the first term of the academic year in question actually begins.

(7) In the circumstances set out in paragraph (8) or (9), there is an overpayment of the grant for disabled distance learning students' living costs unless the Welsh Ministers decide otherwise.

(8) The circumstances are—

- (a) the Welsh Ministers apply all or part of the grant for disabled distance learning students' living costs to the purchase of specialist equipment on behalf of the eligible distance learning student;
- (b) the student’s period of eligibility terminates after the relevant date; and
- (c) the equipment has not been delivered to the student before the period of eligibility terminated.

(9) The circumstances are—

- (a) the eligible distance learning student’s period of eligibility terminates after the relevant date; and

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) a payment of the grant for disabled part-time students' living costs in respect of specialist equipment is made to the student after the period of eligibility terminated.
- (10) Where there is an overpayment of the grant for disabled distance learning students' living costs, the Welsh Ministers may accept the return of specialist equipment purchased with the grant by way of recovery of all or part of the overpayment if they consider it is appropriate to do so.