
WELSH STATUTORY INSTRUMENTS

2009 No. 2737

**The Assembly Learning Grants and Loans
(Higher Education) (Wales) Regulations 2009**

PART 11

SUPPORT FOR FULL-TIME DISTANCE LEARNING COURSES

Amount of support

73.—(1) Subject to paragraph (2) and regulation 79(6), the amount of support payable in respect of an academic year is as follows—

- (a) if at the date of his or her application the eligible distance learning student or his or her partner is entitled—
 - (i) under Part VII of the Social Security Contributions and Benefits Act 1992(1) to income support, housing benefit or council tax benefit;
 - (ii) under Part 1 of the Jobseekers Act 1995(2) to income-based jobseeker's allowance or under section 2 of the Employment and Training Act 1973(3) to an allowance under the arrangements known as the New Deal; or
 - (iii) under Part 1 of the Welfare Reform Act 2007(4) to an income-related employment and support allowance,the maximum amount of support available under regulation 72(1) is payable;
- (b) where the relevant income is less than £16,865, the maximum amount of support available under regulation 72(1) is payable;
- (c) where the relevant income is £16,865, the maximum amount of support available under regulation 72(1)(b) is payable together with £50 less than the maximum amount of support available under regulation 72(1)(a);
- (d) where the relevant income exceeds £16,865 but is less than £25,435, the maximum amount of support available under regulation 72(1)(b) is payable and the amount of

(1) 1992 c. 4; Part VII was amended by the Housing Act 1991 (c. 52), Schedule 19; the Local Government Finance Act 1992 (c. 14), Schedule 9 and Schedule 14; the Jobseekers Act 1995 (c. 18), Schedule 2 and Schedule 3; the Housing Act 1996 (c. 52), Schedule 19 Part 6; the Welfare Reform and Pensions Act 1999 (c. 30), Schedule 8; the Health and Social Care Act 2001 (c. 15), Schedule 6 Part 3; the State Pension Credit Act 2002 (c. 16), Schedule 2 and Schedule 3, the Tax Credits Act 2002 (c. 21), Schedule 6; the Income Tax (Earnings and Pensions) Act 2003 (c. 1), Schedule 6, paragraphs 169 and 179, the Civil Partnership Act 2004 (c. 33), Schedule 24 and the Welfare Reform Act 2007 (c. 40), Sections 30(2) and 31(1), Schedule 3, Schedule 5 and Schedule 8; S.I. 2008/632, S.I. 2008/787 and S.I. 2009/497.

(2) 1995 c. 18; Part I was amended by the Employment Rights Act 1996 (c. 18), Schedule 1; the Social Security Act 1998 (c. 14), Schedules 7 and 8; the Welfare Reform and Pensions Act 1999 (c. 30), Schedules 1, 7, and 8; the State Pension Credit Act 2002 (c. 16), Schedule 2; the National Insurance Contributions Act 2002 (c. 19), Schedule 1; the Income Tax (Earnings and Pensions) Act 2003 (c. 18), Schedule 6; the Civil Partnership Act 2004 (c. 33), Schedule 24 and S.I. 2006/343; and the Welfare Reform Act 2007, Schedule 3.

(3) 1973 c. 50; section 2 as substituted by the Employment Act 1988 (c. 19) was amended by the Employment Act 1989 (c. 38), Schedule 7. Subsections (3A) and (3B) were inserted by the Trade Union Reform and Employment Rights Act 1993 (c. 19), section 47 in relation to Scotland only.

(4) 2007 c. 5.

support payable under regulation 72(1)(a) is the amount determined in accordance with paragraph (2);

- (e) where the relevant income is £25,435, the maximum amount of support available under regulation 72(1)(b) is payable and the amount of support payable under regulation 72(1)(a) is £50;
 - (f) where the relevant income exceeds £25,435 but is less than £26,095, the maximum amount of support available under regulation 72(1)(b) is payable and no support is payable under regulation 72(1)(a);
 - (g) where the relevant income is £26,095 or more but less than £28,180 no support is available under regulation 72(1)(a) and the amount of support payable under regulation 72(1)(b) is the amount left after deducting from the maximum amount of support available under regulation 72(1)(b) £1 for every complete £1.995 by which the relevant income exceeds £26,095;
 - (h) where the relevant income is £28,180, no support is payable under regulation 72(1)(a) and the amount of support payable under regulation 72(1)(b) is £50;
 - (i) where the relevant income exceeds £28,180 no support is payable under regulation 72(1).
- (2) Where paragraph (1)(d) applies, the amount of support payable under regulation 72(1)(a) is determined by deducting from the maximum amount of support available under regulation 72(1)(a) one of the following amounts—
- (a) £50 plus a further £1 for each complete £9.79 by which the relevant income exceeds £16,865; or
 - (b) where the actual fees are less than £975, an amount equal to that left after deducting from the amount calculated under sub-paragraph (a) the difference between £975 and the actual fees (unless the amount is a negative number in which case the maximum amount of support available under regulation 72(1)(a) is payable).