
WELSH STATUTORY INSTRUMENTS

2011 No. 148

**The Assembly Learning Grants and Loans
(Higher Education) (Wales) Regulations 2011**

PART 12

SUPPORT FOR PART-TIME COURSES

Conversion of status

108.—(1) Where an eligible student ceases to undertake a designated course and transfers to a designated part-time course at the same or at another institution, the Welsh Ministers must convert the student's status as an eligible student to that of an eligible part-time student in connection with the course to which the eligible student is transferring where—

- (a) they receive a request from the eligible student to do so; and
- (b) the period of eligibility has not terminated.

(2) Where, before completing the designated course, the eligible student transfers to a part-time course in the same subject leading to the same qualification at the same institution, the part-time course is treated as satisfying regulation 90(1)(b) and (c) if the period of part-time study to be undertaken by that student is of at least one academic year's duration and does not exceed twice the period normally required to complete the remainder of the designated course from which that student transfers.

(3) The following applies to an eligible student who transfers under paragraph (1)—

- (a) where the Welsh Ministers have determined to pay an amount of grant to that student under regulation 25 in periodic instalments, no payment in respect of that amount of grant may be made in respect of any instalment period beginning after the date on which that student became an eligible part-time student;
- (b) the maximum amount of grant to which that student would, apart from this regulation, be entitled pursuant to regulation 93 in connection with that student undertaking a designated part-time course in respect of that academic year is reduced by one third where that student became an eligible part-time student during the second quarter of the academic year and by two thirds where that student became an eligible part-time student in a later quarter of that year;
- (c) where an amount of grant for any purpose has been paid to the student under regulation 25 in a single instalment, the maximum amount of grant payable to that student pursuant to regulation 93 for that purpose is reduced (or, where sub-paragraph (b) applies, further reduced) by the amount of grant paid to that student for that purpose pursuant to regulation 25, and where the resulting amount is nil or a negative amount that amount is nil;
- (d) where immediately before that student became an eligible part-time student that student was eligible to apply, but had not applied, for a loan for living costs in respect of that year, or had not applied for the maximum amount or increased maximum for which that student was entitled, that student may apply for such a loan or such additional amount of loan as if

that student had continued to be an eligible student and in the circumstances mentioned in paragraph (4) the maximum or increased maximum amount of such loan for the academic year is reduced in accordance with that paragraph;

- (e) where the Welsh Ministers have determined to pay an amount of grant or allowance to that student under regulations 27 to 30 in periodic instalments, no payment in respect of that amount may be made in respect of any instalment period beginning after the date on which that student becomes an eligible part-time student;
- (f) the maximum amount of part-time grants for dependants to which that student would, apart from this regulation, be entitled pursuant to regulations 94 to 103 in connection with that student undertaking a designated part-time course in respect of that academic year is reduced by one third where that student became an eligible part-time student during the second quarter of the academic year and by two thirds where that student became an eligible part-time student in a later quarter of that year; and
- (g) where an amount of grant or allowance has been paid to that student under regulations 27 to 30 in a single instalment, the maximum amount of grant or allowance payable to that student pursuant to regulations 94 to 103 is reduced (or where sub-paragraph (f) applies, further reduced) by the amount of analogous grant or allowance paid to that student pursuant to regulations 27 to 30, and where the resulting amount is nil or a negative amount that amount is nil.

(4) Where the request under paragraph (1) is made during the first quarter of the academic year in respect of which the loan is payable the maximum amount or increased maximum amount of loan (as the case may be) is reduced by two thirds and where the request is made during the second quarter of that year that amount is reduced by one third.

(5) Where an eligible distance learning student ceases to undertake a designated distance learning course and transfers to a designated part-time course at the same or at another institution, the Welsh Ministers must convert that student's status as an eligible distance learning student to that of an eligible part-time student in connection with the course to which the eligible distance learning student is transferring where—

- (a) they receive a request from the eligible distance learning student to do so; and
- (b) the period of eligibility has not terminated.

(6) Where, before completing the designated distance learning course the eligible distance learning student transfers to a part-time course in the same subject leading to the same qualification at the same institution, the part-time course is to be treated as satisfying regulation 90(1)(b) and (c) if the period of part-time study to be undertaken by that student is of at least one academic year's duration and does not exceed twice the period ordinarily required to complete the remainder of the designated distance learning course from which that student transfers.

(7) Subject to paragraph (8), an eligible distance learning student who transfers under paragraph (5) is entitled to receive in connection with the academic year of the course to which that student transfers the remainder of the support for which the Welsh Ministers have determined that student qualifies under Part 11 in respect of the academic year of the designated distance learning course from which that student transfers.

(8) The Welsh Ministers may re-assess the amount of support payable after the transfer in accordance with this Part.

(9) A student who transfers under paragraph (5) after the Welsh Ministers have determined that student's support under Part 11 in connection with the academic year of the distance learning course from which that student is transferring but before that student completes that year—

- (a) may not apply for a grant under regulation 92(1)(b) if that student has already applied for a grant under regulation 75(1)(b);

(b) may not apply for a grant under regulation 93 if that student has already applied for a grant under regulation 78.

(10) Where a student transfers under paragraph (5), the total amount of support paid to that student under regulation 75(1)(a) and 92(1)(a) in respect of—

- (a) the academic year from which that student transfers; and
- (b) the academic year to which that student transfers;

must not exceed the amount of support determined to be payable to that student under regulation 75(1) (a).

(11) Where a student transfers under paragraph (5), the maximum amount of part-time grants for dependants to which that student would, apart from this regulation, be entitled pursuant to regulations 94 to 103 in connection with that student undertaking a designated part-time course in respect of that academic year is reduced by one third where that student became an eligible part-time student during the second quarter of the academic year and by two thirds where that student became an eligible part-time student in a later quarter of that year.

(12) Where an eligible part-time student ceases to undertake a designated part-time course and transfers to a designated course at the same or at another institution, the Welsh Ministers must convert that student's status as an eligible part-time student to that of an eligible student in connection with the course to which the eligible part-time student is transferring where—

- (a) they receive a request from the eligible part-time student to do so; and
- (b) the period of eligibility has not terminated.

(13) The following applies to a student who transfers under paragraph (12)—

- (a) where the Welsh Ministers have determined to pay an amount of grant to that student pursuant to regulation 93 in periodic instalments no payment in respect of that amount of grant may be made in respect of any instalment period beginning after the date on which that student became an eligible student;
- (b) subject to sub-paragraphs (c) and (f), any support to which that student is entitled under this Part in respect of the academic year in which that student transfers is ignored in determining the amount of support to which that student may be entitled in respect of that year under Parts 4 to 6;
- (c) where the Welsh Ministers have determined to pay an amount of any grant or allowance to that student pursuant to regulations 94 to 103 in periodic instalments, no payment in respect of that amount may be made in respect of any instalment period beginning after the date on which that student becomes an eligible student;
- (d) the maximum amount of any support under Parts 5 or 6 to which that student would, apart from this regulation, be entitled in connection with a designated course in respect of that academic year is reduced by one third where that student became an eligible student during the second quarter of that academic year and by two thirds where that student became an eligible student in a later quarter of that year;
- (e) where an amount of grant for any purpose has been paid to that student pursuant to regulation 93 in a single instalment, the maximum amount of grant payable to that student under regulation 25 for that purpose is reduced (or, where sub-paragraph (d) applies, further reduced) by the amount of grant paid to that student for that purpose pursuant to regulation 93 and where the resulting amount is nil or a negative amount that amount is nil; and
- (f) where an amount of grant or allowance has been paid to that student pursuant to regulations 94 to 103 in a single instalment the maximum amount of the analogous grant or allowance payable to that student pursuant to regulations 27 to 30 is reduced (or where sub-paragraph (d) applies, further reduced) by the amount of grant or allowance paid to

that student pursuant to regulations 94 to 103 and where the resulting amount is nil or a negative amount that amount is nil.

(14) Where an eligible part-time student ceases to undertake a designated part-time course and transfers to a designated distance learning course at the same or at another institution, the Welsh Ministers must convert that student's status as an eligible part-time student to that of an eligible distance learning student in connection with the course to which the eligible part-time student is transferring where—

- (a) they receive a request from the eligible part-time student to do so; and
- (b) the period of eligibility has not terminated.

(15) Subject to paragraph (16), a student who transfers under paragraph (14) is entitled to receive in connection with the academic year of the course to which the student transfers the remainder of the support for which the Welsh Ministers have determined the student qualifies under this Part in respect of the academic year of the designated part-time course from which the student transfers.

(16) The Welsh Ministers may re-assess the amount of support payable after the transfer in accordance with Part 11.

(17) An eligible student who transfers under paragraph (14) after the Welsh Ministers have determined that student's support in connection with the academic year of the distance learning course from which that student is transferring but before that student completes that year—

- (a) may not apply for a grant under regulation 75(1)(b) if that student has already applied for a grant under regulation 92(1)(b);
- (b) may not apply for a grant under regulation 78 if that student has already applied for a grant under regulation 93.

(18) Where a student transfers under paragraph (14), the total amount of support paid to that student under regulations 75(1)(a) and 92(1)(a) in respect of—

- (a) the academic year from which that student transfers; and
- (b) the academic year to which that student transfers;

must not exceed the maximum amount of support determined to be payable to that student under regulation 75(1)(a).