
WELSH STATUTORY INSTRUMENTS

2011 No. 148

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

PART 14

AMENDMENT OF THE 2009 REGULATIONS

Amendment of the 2009 Regulations

137.—(1) In sub-paragraph (3) of paragraph 5 of Schedule 5—

- (a) immediately before “Where the Welsh Ministers” insert “Subject to sub-paragraph (3A)”;
and
- (b) after “the current financial year” insert “in this paragraph”.

(2) After sub-paragraph (3) of paragraph 5 of Schedule 5, insert—

“(3A) In the event that sub-paragraph (3) or this sub-paragraph was applied in respect of the previous academic year of the present course and the Welsh Ministers are satisfied that the residual income of the parent in the current financial year is likely to be not more than 85 per cent of the sterling value of the parent’s residual income in the preceding financial year the Welsh Ministers must, for the purpose of enabling the eligible student to attend the course without hardship, assess the parent’s residual income for the current financial year.”.

(3) For sub-paragraph (4) of paragraph 5 of Schedule 5, substitute—

“(4) In an academic year immediately following one in which the Welsh Ministers have ascertained the residual income of the parent under sub-paragraph (3) or, where applicable, under sub-paragraph (3A) and the Welsh Ministers are satisfied that the residual income of the parent in the current financial year is likely to be more than 85 per cent of the sterling value of the parent’s residual income in the preceding financial year, the Welsh Ministers must ascertain the parent’s residual income for the preceding financial year.”.