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WELSH STATUTORY INSTRUMENTS

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**2011 No. 148**

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

**PART 11**

**SUPPORT FOR FULL-TIME DISTANCE LEARNING COURSES**

**Designated distance learning courses**

**73.**—(1) A course is designated for the purposes of section 22(1) of the 1998 Act and regulation 71 if it is designated by the Welsh Ministers under this regulation.

(2) Subject to paragraph (4), the Welsh Ministers may designate a course under this regulation if in their opinion—

- (a) the course is listed in Schedule 2 other than a course for the initial training of teachers;
- (b) the course is a full-time course;
- (c) the course is of at least one academic year's duration; and
- (d) students undertaking the course in the United Kingdom are not required to be in attendance on it by the institution providing the course.

(3) For the purposes of determining whether the requirement in paragraph (2)(d) is satisfied the Welsh Ministers may disregard—

- (a) any requirement imposed by the institution providing the course to attend any institution for the purposes of—
    - (i) registration or enrolment;
    - (ii) an examination;
  - (b) any requirement imposed by the institution providing the course to attend any institution on a weekend or during any vacation;
  - (c) any period of attendance at the institution providing the course which a student may but is not required to complete by that institution.
- (4) The Welsh Ministers may not designate a course as a designated distance learning course if—
- (a) it falls within paragraph 7 or 8 of Schedule 2; and
  - (b) the governing body of a maintained school has arranged for the provision of the course to a pupil of the school.