
WELSH STATUTORY INSTRUMENTS

2012 No. 3097

The Education (Student Support) (Wales) Regulations 2012

PART 13

SUPPORT FOR POSTGRADUATE STUDENTS WITH DISABILITIES

Designated postgraduate courses

121.—(1) A postgraduate course is designated for the purposes of section 22(1) of the 1998 Act and regulation 119 if—

- (a) it is a course entry for which a first degree (or equivalent qualification) or higher is normally required;
 - (b) it is a course—
 - (i) of at least one academic year's duration; and
 - (ii) in the case of a part-time course, it is ordinarily possible to complete the course in not more than twice the period ordinarily required to complete the full time equivalent;
 - (c) it is wholly provided by a publicly funded educational institution in the United Kingdom or is provided by such an institution in conjunction with an institution outside the United Kingdom; and
 - (d) it is not a course for the initial training of teachers or a course taken as part of an employment based teacher training scheme.
- (2) For the purposes of paragraph (1)—
- (a) a course is provided by an institution if it provides the teaching and supervision which comprise the course, whether or not it has entered an agreement with the student to provide the course;
 - (b) a university and any constituent college or institution in the nature of a college of a university is regarded as publicly funded if either the university or the constituent college or institution is publicly funded; and
 - (c) an institution is not regarded as publicly funded by reason only that it receives public funds from the governing body of a higher education institution in accordance with section 65(3A) of the Further and Higher Education Act 1992⁽¹⁾.
- (3) For the purposes of paragraph (1)(b)(ii)—
- (a) “full-time equivalent” (“*cwrs llawnamser cyfatebol*”) means a full-time course leading to the same qualification as the part-time course in question;
 - (b) “period ordinarily required to complete the full-time equivalent” (“*cyfnod y mae ei angen fel arfer i gwblhau'r cwrs llawnamser cyfatebol*”) means the period in which a standard full-time student would complete the full-time equivalent;

⁽¹⁾ 1992 c. 13; section 65(3A) was inserted by the Teaching and Higher Education Act 1998 (c. 30), section 27.

- (c) “standard full-time student” (“*myfyriwr llawnamser safonol*”) means a student who is to be taken—
- (i) to have started the full-time equivalent on the same date as the eligible part-time student started the part-time course in question;
 - (ii) not to have been excused any part of the full-time equivalent;
 - (iii) not to have repeated any part of the full-time equivalent; and
 - (iv) not to have been absent from the full-time equivalent other than during vacations.
- (4) For the purposes of section 22 of the 1998 Act and regulation 119, the Welsh Ministers may designate courses of higher education which are not designated under paragraph (1).