
WELSH STATUTORY INSTRUMENTS

2016 No. 77

**The Education (Student Support)
(Wales) (Amendment) Regulations 2016**

Title, commencement and application

1.—(1) The title of these Regulations is the Education (Student Support) (Wales) (Amendment) Regulations 2016.

(2) This regulation and regulations 2, 4, 5, 8, 10, 12(2), 14 and 16 come into force on 22 February 2016.

(3) All other regulations and the Schedule—

(a) come into force on 22 February 2016; and

(b) apply to the provision of support to students in relation to an academic year which begins on or after 1 September 2016 whether anything done under these Regulations is done before, on or after 1 September 2016.

(4) These regulations apply in relation to Wales.

Amendment of the Education (Student Support) (Wales) Regulations 2015

2. The Education (Student Support) (Wales) Regulations 2015(1) are amended in accordance with regulations 3 to 18.

3. In regulation 2 (interpretation), in paragraph (1)—

(1) after the definition of “end-on course” insert—

““entitlement period” (“*cyfnod hawlogaeth*”) has the meaning given in regulation 28(3A);”

(2) after the definition of “universal healthcare bursary” insert—

““valid declaration of eligibility” (“*datganiad cymhwysra dilys*”) has the meaning given in regulation 28(3A).”

4. In regulation 5 (designated courses) after paragraph (8) insert—

“(9) The Welsh Ministers may revoke or suspend the designation of a course which is designated under paragraph (8).”

5. In regulation 10 (time limits), in paragraph (2)(e) for “22(4)” substitute “22(7)”.

6. For regulation 12 (requirement to enter into a contract for a loan), substitute—

“Requirement to enter into a contract for a loan

12.—(1) To receive a loan an eligible student must enter into a contract with the Welsh Ministers on terms to be decided by the Welsh Ministers.

(2) The Welsh Ministers may require an eligible student to sign a contract by means of an electronic signature in such form as the Welsh Ministers may specify.”

- 7.** In regulation 28 (grants for dependants – childcare grant)—
- (1) In paragraph (2), after “paragraphs 3” insert “, (3B)”.
 - (2) After paragraph (3) insert—

“(3A) In these Regulations, “entitlement period” and “valid declaration of eligibility” have the same meaning as they have for the purposes of the Childcare Payments Act 2014(2) and regulations made under that Act.

(3B) An eligible student does not qualify for a grant under this regulation during any entitlement period for which an eligible student or an eligible student’s partner has made a valid declaration of eligibility under the Childcare Payments Act 2014 in relation to any child.”
- 8.** In the English text in regulation 37 (maintenance grant – new system eligible students who are not new cohort students), in paragraph (3)(a) after “£3,000” omit the comma.
- 9.** In regulation 67 (overpayments), after paragraph (13) insert—
- “(14) For the purpose of this regulation reference to an eligible student includes a person who has received support under Part 5 or 6 but who does not satisfy the requirements of regulation 4 (eligible students).”
- 10.** In regulation 71 (designated distance learning courses), after paragraph (5) insert—
- “(6) The Welsh Ministers may revoke or suspend the designation of a course which is designated under this regulation.”
- 11.** In regulation 85 (overpayments), after paragraph (10) insert—
- “(11) For the purpose of this regulation reference to an eligible distance learning student includes a person who has received support under this Part but who does not satisfy the requirements of regulation 69 (eligible distance learning student).”
- 12.** In regulation 88 (designated part-time courses)—
- (1) after paragraph (1)(d) insert—

“(dd) for a course beginning on or after 1 September 2016 which falls within paragraph 1, 2, 4, 6, 7 or 8 of Schedule 2, it is a course leading to an award granted or to be granted by a body falling within section 214(2)(a) or (b) of the Education Reform Act 1988(3).”
 - (2) after paragraph (7) insert—

“(8) The Welsh Ministers may revoke or suspend the designation of a course which is designated under paragraph (6).”
- 13.** In regulation 97 (part-time childcare grant)—
- (1) In paragraph (2), after “paragraphs (3)” insert “, (3A)”.
 - (2) After paragraph (3) insert—

“(3A) An eligible student does not qualify for a grant under this regulation during any entitlement period for which an eligible student or an eligible student’s partner has made a valid declaration of eligibility under the Childcare Payments Act 2014 in relation to any child.”
- 14.** In regulation 100 (part-time grants for dependants – interpretation)—
- (1) in paragraph (1)(j) for “(i), (j), (k)” substitute “(p), (q), (r)”;
 - (2) in paragraph (1)(j) for “(2) and (3)” substitute “(3) and (4)”;

(2) 2014 c. 28.

(3) 1988 c. 40; section 214(2) was amended by the Further and Higher Education Act 1992 (c. 13), Schedule 8.

- (3) in paragraph (1)(q) for “(h)” substitute “(j)”;
 - (4) in paragraph (1)(r) for “(h)” substitute “(j)”;
 - (5) in paragraph (5) for “(5)” substitute “(6)”;
 - (6) in paragraph (6) for “(4)” substitute “(5)”.
- 15.** In regulation 114 (overpayments), after paragraph (10) insert—
- “(11) For the purpose of this regulation reference to an eligible part-time student includes a person who has received support under this Part but who does not satisfy the requirements of regulation 86 (eligible part-time students).”
- 16.** In regulation 117 (designated postgraduate courses)—
- (1) in the English text in paragraph (1)(c) after “institution” in the second place it occurs, insert “in”;
 - (2) after paragraph (4) insert—
- “(5) The Welsh Ministers may revoke or suspend the designation of a course which is designated under paragraph (4).”
- 17.** In regulation 124 (overpayments), after paragraph (9) insert—
- “(10) For the purpose of this regulation reference to an eligible postgraduate student includes a person who has received support under this Part but who does not satisfy the requirements of regulation 115 (eligible postgraduate students).”
- 18.** The Schedule to these Regulations has effect to substitute the figure in the third column of the table for the figure in the second column where it appears in the regulation of the Education (Student Support) (Wales) Regulations 2015 set out in the first column.

26 January 2016

Huw Lewis
Minister for Education and Skills, one of the
Welsh Ministers