
WELSH STATUTORY INSTRUMENTS

2017 No. 47

The Education (Student Support) (Wales) Regulations 2017

PART 4

GRANTS AND LOANS FOR FEES

CHAPTER 1

GENERAL PROVISION

Fee Support Generally

13.—(1) Fee support under this Part in respect of an academic year may not exceed the fees payable by the eligible student in respect of that academic year.

(2) For the purposes of calculating the amount of fee support under this Part, an institution that provides courses designated by regulation 4 of the Education (Student Support) (Dance and Drama) Regulations 1999(1) is not to be 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(2).

(3) An eligible student to whom paragraph (4) applies is treated as if the eligible student were in attendance on the designated course for the purpose of qualifying for fee support.

(4) This paragraph applies to—

- (a) a compressed degree student;
- (b) a disabled eligible student who—

- (i) is not a compressed degree student; and

- (ii) is undertaking a designated course in the United Kingdom but is not in attendance because the eligible student is unable to attend for a reason which relates to the eligible student's disability.

(5) An eligible student who is undertaking a distance learning course does not qualify for any fee support under this Part in respect of that course unless the Welsh Ministers consider that the student is undertaking the course in Wales on the first day of the first academic year.

(6) An eligible student who is undertaking a distance learning course will no longer qualify for any fee support under this Part in respect of that course if the Welsh Ministers consider that the student is undertaking the course outside the United Kingdom.

Students becoming eligible during the course of an academic year

14. Where any of the events listed in regulation 15 occurs in the course of an academic year—

(1) S.I. 1999/2263, amended by S.I. 2001/2893.

(2) 1992 c. 13; section 65(3A) was inserted by the Teaching and Higher Education Act 1998 (c. 30), section 27.

- (a) a student may qualify for grants and loans under this Part in respect of that academic year provided that the relevant event occurred within the first three months of the academic year; and
- (b) such grants and loans are not available to the student in respect of any academic year beginning before the academic year in which the relevant event occurred.

Events

15. The events are—

- (a) the student's course becomes a designated course;
- (b) the student or the student's spouse, civil partner or parent (as defined in Part 1 of Schedule 1) is recognised as a refugee or becomes a person with leave to enter or remain;
- (c) a state accedes to the European Union where the student is a national of that state or a family member (as defined in Part 1 of Schedule 1) of a national of that state;
- (d) the student becomes a family member (as defined in Part 1 of Schedule 1) of an EU national;
- (e) the student acquires the right of permanent residence;
- (f) the student becomes the child of a Turkish worker;
- (g) the student becomes a person described in paragraph 6(1)(a) of Schedule 1; or
- (h) the student becomes the child of a Swiss national.

CHAPTER 2

FEE GRANT

New fee grant

16.—(1) Subject to paragraph (2), an eligible student who is a 2012 cohort student qualifies in accordance with this regulation for a new fee grant in respect of, or otherwise in connection with, the 2012 cohort student's attendance on a designated course provided by a body listed in regulation 5(1) (e).

(2) A new fee grant is not available in respect of an academic year if that year is—

- (a) a bursary year;
- (b) an Erasmus year of a course provided by an institution in Northern Ireland; or
- (c) an Erasmus year of a course provided by an institution in England, Scotland or Wales where the course began before 1 September 2012.

(3) The maximum amount of new fee grant available under this regulation to a 2012 cohort student in respect of an academic year of a designated course where none of the circumstances in paragraphs (7), (8), (9) or (10) applies is the lesser of—

- (a) £4,954; or
- (b) the amount by which the fees payable by the applicant exceed £4,046.

(4) The maximum amount of new fee grant available under this regulation to a 2012 cohort student in respect of an academic year of a designated course where one of the circumstances in paragraph (7) or (8) applies is the lesser of—

- (a) £2,560; or
- (b) the amount by which the fees payable by the applicant exceed £1,940.

(5) The maximum amount of new fee grant available under this regulation to a 2012 cohort student in respect of an academic year of a designated course where paragraph (9) applies is the lesser of—

- (a) £900; or
- (b) the amount by which the fees payable by the applicant exceed £900.

(6) The maximum amount of new fee grant available under this regulation to a 2012 cohort student in respect of an academic year of a designated course where paragraph (10) applies is the lesser of—

- (a) £675; or
- (b) the amount by which the fees payable by the applicant exceed £675.

(7) This paragraph applies where—

- (a) the final academic year of the designated course where that year is ordinarily required to be completed after less than 15 weeks' attendance;
- (b) in respect of an academic year of a sandwich course beginning before 1 September 2012—
 - (i) during which any periods of full-time study are in aggregate less than 10 weeks; or
 - (ii) if in respect of that academic year and any previous academic years of the course the aggregate of any one or more periods of attendance which are not periods of full-time study at the institution (disregarding intervening vacations) exceeds 30 weeks;
- (c) in respect of an academic year of a course beginning before 1 September 2012 provided in conjunction with an overseas institution—
 - (i) during which the periods of full-time study at the institution in the United Kingdom are in aggregate less than 10 weeks; or
 - (ii) if in respect of that academic year and any previous academic years of the course the aggregate of any one or more periods of attendance which are not periods of full-time study at the institution in the United Kingdom (disregarding intervening vacations) exceeds 30 weeks.

(8) This paragraph applies—

- (a) in respect of an academic year of a sandwich course provided by an institution in Scotland or Northern Ireland which began on or after 1 September 2012 and—
 - (i) during which any periods of full-time study are in aggregate less than 10 weeks; or
 - (ii) if in respect of that academic year and any previous academic years of the course the aggregate of any one or more periods of attendance which are not periods of full-time study at the institution (disregarding intervening vacations) exceeds 30 weeks; or
- (b) in respect of an academic year of a course provided by an institution in Scotland or Northern Ireland in conjunction with an overseas institution which began on or after 1 September 2012 and—
 - (i) during which the periods of full-time study at the institution in the United Kingdom are in aggregate less than 10 weeks; or
 - (ii) if in respect of that academic year and any previous academic years of the course the aggregate of any one or more periods of attendance which are not periods of full-time study at the institution in the United Kingdom (disregarding intervening vacations) exceeds 30 weeks.

(9) This paragraph applies in respect of an academic year of a sandwich course provided by an institution in England or Wales which began on or after 1 September 2012 and—

- (a) during which any periods of full-time study are in aggregate less than 10 weeks; or

- (b) if in respect of that academic year and any previous academic years of the course the aggregate of any one or more periods of attendance which are not periods of full-time study at the institution (disregarding intervening vacations) exceeds 30 weeks.
- (10) This paragraph applies—
- (a) in respect of an academic year of a course provided by an institution in England or Wales in conjunction with an overseas institution which began on or after 1 September 2012 and;
- (i) during which the periods of full-time study at the institution in the United Kingdom are in aggregate less than 10 weeks; or
- (ii) if in respect of that academic year and any previous academic years of the course the aggregate of any one or more periods of attendance which are not periods of full-time study at the institution in the United Kingdom (disregarding intervening vacations) exceeds 30 weeks; or
- (b) in respect of an Erasmus year of a course provided by an institution in England, Scotland or Wales which began on or after 1 September 2012.
- (11) For the purpose of this regulation a course is to be treated as being provided by or on behalf of a recognised educational institution where—
- (a) an institution was a recognised educational institution on the first day of the first academic year of a course;
- (b) that institution has ceased to be a recognised educational institution; and
- (c) the Welsh Ministers have designated that course under regulation 5(8).

CHAPTER 3

FEE LOANS

General qualifying conditions for fee loans

17.—(1) An eligible student qualifies for a fee loan in connection with the student's attendance on a designated course in accordance with this Part provided that the student is not excluded from qualification by the following paragraph, regulation 6 or regulation 7.

(2) An eligible student does not qualify for a fee loan in respect of an academic year if that year is—

- (a) a bursary year;
- (b) an Erasmus year of a course provided by an institution in Northern Ireland; or
- (c) an Erasmus year of a course provided by an institution in England, Scotland or Wales where the course began before 1 September 2012.
- (3) Paragraph (2) does not apply in relation to an accelerated graduate entry course.

Fee loans in respect of courses beginning before 1 September 2012: eligible student who is a 2010 cohort student or a 2011 cohort student

18.—(1) An eligible student qualifies in accordance with this regulation for a loan in respect of the fees payable by the eligible student in respect of, or otherwise in connection with the eligible student's attendance on a designated course which began before 1 September 2012.

(2) Unless paragraph (3) applies, the amount of a fee loan in respect of an academic year of a designated course must not exceed the lesser of—

- (a) £3,465 or, where one of the circumstances in regulation 16(7) applies, £1,725; and
- (b) the fees payable by the student in respect of, or otherwise in connection with, that year.

(3) Where an eligible student qualifies for a fee loan under this regulation in respect of a designated course provided by an institution in Northern Ireland, the amount of fee loan in respect of an academic year of the designated course must not exceed the lesser of—

- (a) £4,030 or, where one of the circumstances in regulation 16(7) applies, £2,005; and
- (b) the fees payable by the student in respect of, or otherwise in connection with, that year.

(4) Where an eligible student has applied for a fee loan of less than the maximum amount available in relation to an academic year, the eligible student may apply to borrow an additional amount which when added to the amount already applied for does not exceed the relevant maximum applicable in the eligible student's case.

(5) This regulation does not apply in relation to a student if the student qualifies for a fee grant and the course is a qualifying designated course.

(6) This regulation does not apply to an eligible student who is a 2012 cohort student.

(7) This regulation does not apply to an eligible student who is a 2012 accelerated graduate entry student.

New fee loan in respect of courses beginning on or after 1 September 2012

19.—(1) An eligible student who is a 2012 cohort student qualifies in accordance with this regulation for a new fee loan in respect of, or otherwise in connection with, the 2012 cohort student's attendance on a designated course provided by a body listed in regulation 5(1)(e).

(2) A new fee loan is not available in respect of an academic year if that year is—

- (a) a bursary year;
- (b) an Erasmus year of a course provided by an institution in Northern Ireland; or
- (c) an Erasmus year of a course provided by an institution in England, Scotland or Wales where the course began before 1 September 2012.

(3) The maximum amount of new fee loan available under this regulation to a 2012 cohort student in respect of an academic year of a designated course where none of the circumstances in regulations 16(7), 16(8), 16(9) or 16(10) applies is the lesser of—

- (a) £4,046; and
- (b) the fees payable by the student in respect of, or otherwise in connection with, that year.

(4) The maximum amount of new fee loan available under this regulation to a 2012 cohort student in respect of an academic year of a designated course where one of the circumstances in regulation 16(7) or 16(8) applies is the lesser of—

- (a) £1,940; and
- (b) the fees payable by the student in respect of, or otherwise in connection with, that year.

(5) The maximum amount of new fee loan available under this regulation to a 2012 cohort student in respect of an academic year of a designated course where regulation 16(9) applies is the lesser of—

- (a) £900; and
- (b) the fees payable by the student in respect of, or otherwise in connection with, that year.

(6) The maximum amount of new fee loan available under this regulation to a 2012 cohort student in respect of an academic year of a designated course where regulation 16(10) applies is the lesser of—

- (a) £675; and
- (b) the fees payable by the student in respect of, or otherwise in connection with, that year.

(7) Where a 2012 cohort student has applied for a new fee loan of less than the maximum amount available in relation to an academic year, the 2012 cohort student may apply to borrow an additional amount which, when added to the amount already applied for, does not exceed that maximum.

(8) This regulation does not apply to a 2012 cohort student who qualifies for a new private institution fee loan.

(9) For the purpose of this regulation a course is to be treated as being provided by or on behalf of a recognised educational institution where—

- (a) an institution was a recognised educational institution on the first day of the first academic year of that course;
- (b) that institution has ceased to be a recognised educational institution; and
- (c) the Welsh Ministers have designated that course under regulation 5(8).

Additional fee loan in respect of courses beginning on or after 1 September 2012

20.—(1) An eligible student who is a 2012 cohort student qualifies in accordance with this regulation for an additional fee loan in respect of, or otherwise in connection with, the 2012 cohort student's attendance on a designated course provided by a body listed in regulation 5(1)(e).

(2) An additional fee loan is available in respect of a designated course where the fees payable by the student in respect of or otherwise in connection with that year exceed the amount specified in paragraph (3) (b), (4)(b), (5)(b) or (6)(b) as the case may be.

(3) The maximum amount of additional fee loan available under this regulation to a 2012 cohort student in respect of an academic year of a designated course where none of the circumstances in regulation 16(7), 16(8), 16(9) or 16(10) apply is the lesser of—

- (a) £250; and
- (b) the amount by which the fees payable by the student exceed £9,000.

(4) The maximum amount of additional fee loan available under this regulation to a 2012 cohort student in respect of an academic year of a designated course where one of the circumstances in regulation 16(7) or 16(8) applies is the lesser of—

- (a) £125; and
- (b) the amount by which the fees payable by the student exceed £4,500.

(5) The maximum amount of additional fee loan available under this regulation to a 2012 cohort student in respect of an academic year of a designated course where one of the circumstances in regulation 16(9) applies is the lesser of—

- (a) £50; and
- (b) the amount by which the fees payable by the student exceed £900.

(6) The maximum amount of additional fee loan available under this regulation to a 2012 cohort student in respect of an academic year of a designated course where one of the circumstances in regulation 16(10) applies is the lesser of—

- (a) £35; and
- (b) the amount by which the fees payable by the student exceed £675.

(7) Where a 2012 cohort student has applied for an additional fee loan of less than the maximum amount available in relation to an academic year, the 2012 cohort student may apply to borrow an additional amount which, when added to the amount already applied for, does not exceed that maximum.

(8) This regulation does not apply to a 2012 cohort student who qualifies for a new private institution fee loan.

(9) For the purpose of this regulation a course is to be treated as being provided by or on behalf of a recognised educational institution where—

- (a) an institution was a recognised educational institution on the first day of the first academic year of that course;
- (b) that institution has ceased to be a recognised educational institution; and
- (c) the Welsh Ministers have designated that course under regulation 5(8).

New private institution fee loan

21.—(1) An eligible student who is a 2012 cohort student qualifies in accordance with this regulation for a new private institution fee loan in respect of, or otherwise in connection with, the 2012 cohort student's attendance on a designated course provided by a private institution.

(2) A new private institution fee loan is not available in respect of an academic year if that year is—

- (a) a bursary year;
- (b) an Erasmus year of a course provided by an institution in Northern Ireland; or
- (c) an Erasmus year of a course provided by an institution in England, Scotland or Wales where the course began before 1 September 2012.

(3) The maximum amount of new private institution fee loan available under this regulation to a 2012 cohort student in respect of an academic year of a designated course provided by a private institution where none of the circumstances in regulation 16(7), 16(8), 16(9) or 16(10) applies is the lesser of—

- (a) £6,165; and
- (b) the fees payable by the student in respect of, or otherwise in connection with, that year.

(4) The maximum amount of new private institution fee loan available under this regulation to a 2012 cohort student in respect of an academic year of a designated course provided by a private institution where one of the circumstances in regulation 16(7) or 16(8) applies is the lesser of—

- (a) £3,080; and
- (b) the fees payable by the student in respect of, or otherwise in connection with, that year.

(5) The maximum amount of new private institution fee loan available under this regulation to a 2012 cohort student in respect of an academic year of a designated course provided by a private institution where regulation 16(9) applies is the lesser of—

- (a) £1,230; and
- (b) the fees payable by the student in respect of, or otherwise in connection with, that year.

(6) The maximum amount of new private institution fee loan available under this regulation to a 2012 cohort student in respect of an academic year of a designated course provided by a private institution where regulation 16(10) applies is the lesser of—

- (a) £920; and
- (b) the fees payable by the student in respect of, or otherwise in connection with, that year.

(7) Where an eligible student has applied for a new private institution fee loan of less than the maximum amount available in relation to an academic year, the eligible student may apply to borrow an additional amount which, when added to the amount already applied for, does not exceed that maximum.

(8) A new private institution fee loan is not available in respect of an eligible student's attendance on a course where that course is provided on behalf of a recognised educational institution by a body in regulation 5(1)(e)(ii) or (iii).

Accelerated graduate entry fee loan

22.—(1) A 2012 accelerated graduate entry student qualifies in respect of, or otherwise in accordance with, the 2012 accelerated graduate entry student's attendance on a designated course which is an accelerated graduate entry course for an accelerated graduate entry fee loan and an additional accelerated graduate fee loan in accordance with this regulation.

(2) An accelerated graduate entry fee loan and an additional accelerated graduate entry fee loan are not available in respect of an academic year which is an Erasmus year.

(3) An additional accelerated graduate entry fee loan is only available in respect of a designated course which is an accelerated graduate entry course where the fees payable by the student in respect of, or otherwise in connection with, that year exceed £5,535.

(4) The amount of an accelerated graduate entry fee loan in respect of an academic year of a designated course which is an accelerated graduate entry course must not exceed the lesser of—

- (a) £5,535; or
- (b) the amount by which the fees payable by the 2012 accelerated graduate entry student exceed £3,465.

(5) The amount of an additional accelerated graduate entry fee loan in respect of an academic year of a designated course which is an accelerated graduate entry course must not exceed the lesser of—

- (a) £250; or
- (b) the amount by which the fees payable by the student exceed £5,535.

(6) Where a 2012 accelerated graduate entry student has applied for an accelerated graduate entry fee loan or an additional accelerated graduate entry fee loan of less than the maximum amount available in relation to an academic year, the 2012 accelerated graduate entry student may apply to borrow an additional amount which, when added to the amount already applied for, does not exceed that maximum.