
WELSH STATUTORY INSTRUMENTS

2021 No. 73

The Education (Student Support) (Miscellaneous Amendments) (Wales) Regulations 2021

PART 2

DISABLED STUDENTS' GRANTS

CHAPTER 1

AMENDMENTS TO THE EDUCATION (STUDENT SUPPORT) (WALES) REGULATIONS 2017

Amendments to the Education (Student Support) (Wales) Regulations 2017

2. The Education (Student Support) (Wales) Regulations 2017⁽¹⁾ are amended in accordance with regulations 3 to 7.

3. In regulation 24 (grants for disabled students' living costs)—

(a) for paragraph (3) substitute—

“(3) The amount of the grant for disabled students' living costs must not exceed—

(a) £31,831 in respect of an academic year for expenditure on a non-medical personal helper, major items of specialist equipment and any other expenditure the eligible student incurs in connection with the course by reason of the student's disability (apart from the expenditure specified in sub-paragraph (b)); and

(b) the additional expenditure incurred—

(i) within the United Kingdom for the purpose of attending the institution; and

(ii) within or outside the United Kingdom for the purpose of attending, as part of the eligible student's course, any period of study at an overseas institution or for the purpose of attending the Institute.”;

(b) in paragraph (6), for “paragraphs (7) and (8)” substitute “paragraph (8)”;

(c) omit paragraph (7);

(d) in paragraph (8), for “paragraph (3)(a), (c) and (d) in respect of such quarters as begin after the relevant event occurs” substitute “paragraph (3)(a) and (b) in respect of the academic year from the date that the relevant event listed in regulation 23(12) occurs”.

4. In regulation 71 (grant for disabled distance learning students' living costs)—

(a) for paragraph (8) substitute—

“(8) The amount of the grant under this regulation must not exceed—

⁽¹⁾ S.I. 2017/47 (W. 21), amended by S.I. 2018/191 (W. 42), S.I. 2018/814 (W. 165), S.I. 2019/235 (W. 54), S.I. 2019/1094, S.I. 2019/1192 (W. 209), S.I. 2020/142 (W. 25), S.I. 2020/153 (W. 27), S.I. 2020/708 (W. 159), S.I. 2020/1302 (W. 287) and S.I. 2021/9 (W. 4).

- (a) £31,831 in respect of an academic year for expenditure on a non-medical personal helper, major items of specialist equipment and any other expenditure the eligible distance learning student incurs in connection with the course by reason of the student’s disability (apart from the expenditure specified in subparagraph (b)); and
 - (b) the additional expenditure incurred—
 - (i) within the United Kingdom for the purpose of attending the institution; and
 - (ii) within or outside the United Kingdom for the purpose of attending, as part of the eligible distance learning student’s course, any period of study at an overseas institution or for the purpose of attending the Institute.”;
 - (b) in paragraph (9), for “paragraphs (10) and (11)” substitute “paragraph (11)”;
 - (c) omit paragraph (10);
 - (d) in paragraph (11), for “paragraph (8)(a), (c) and (d) in respect of such quarters as begin after the relevant event in regulation 65(4) occurs” substitute “paragraph (8)(a) and (b) in respect of the academic year from the date that the relevant event listed in regulation 65(4) occurs”.
- 5.** In regulation 88 (grants for disabled part-time students’ living costs)—
- (a) for paragraph (3) substitute—
 - “(3) The amount of the grant must not exceed—
 - (a) £31,831 in respect of an academic year for expenditure on a non-medical personal helper, major items of specialist equipment and any other expenditure the eligible part-time student incurs in connection with the course by reason of the student’s disability (apart from the expenditure specified in subparagraph (b)); and
 - (b) the additional expenditure incurred—
 - (i) within the United Kingdom for the purpose of attending the institution; and
 - (ii) within or outside the United Kingdom for the purpose of attending, as part of the eligible part-time student’s course, any period of study at an overseas institution or for the purpose of attending the Institute.”;
 - (b) in paragraph (4), for “paragraphs (5) and (6)” substitute “paragraph (6)”;
 - (c) omit paragraph (5);
 - (d) in paragraph (6), for “paragraph (3)(a), (c) and (d) in respect of such quarters as begin after the relevant event in regulation 82(4) occurs” substitute “paragraph (3)(a) and (b) in respect of the academic year from the date that the relevant event listed in regulation 82(4) occurs”.
- 6.** In regulation 110 (eligible postgraduate students), in paragraph (8), for “117(3)(c)(ii)” substitute “117(2)(b)(ii)”.
- 7.** In regulation 117 (amount of grant)—
- (a) for paragraph (2) substitute—
 - “(2) The grant must not exceed—
 - (a) £31,831 in respect of expenditure on a non-medical personal helper, major items of specialist equipment and any other expenditure the eligible postgraduate student incurs in connection with the course by reason of the student’s disability; and
 - (b) the additional expenditure incurred—

- (i) within the United Kingdom for the purpose of attending the institution;
 - (ii) within or outside the United Kingdom for the purpose of attending, as part of the course, any period of study at an overseas institution or for the purposes of attending the Institute.”;
- (b) for paragraph (3) substitute—
- “(3) For the purposes of this Part, the “types of eligible expenditure” means the expenditure described in paragraph (2)(a) and (b).”;
- (c) in paragraph (4), for “paragraphs (5) and (6)” substitute “paragraph (6)”;
- (d) omit paragraph (5);
- (e) in paragraph (6), for “for the purposes specified in paragraph (3)(a) and (c) in respect of such quarters as begin after the relevant event occurs” substitute “for the purposes specified in paragraph (2)(a) and (b) in respect of the academic year from the date that the relevant event listed in regulation 111(2) occurs”.

CHAPTER 2

AMENDMENTS TO THE EDUCATION (STUDENT SUPPORT) (WALES) REGULATIONS 2018

Amendments to the Education (Student Support) (Wales) Regulations 2018

8. The Education (Student Support) (Wales) Regulations 2018(2) are amended in accordance with regulations 9 to 12.

9. In regulation 63 (amount of disabled student’s grant), for paragraph (2) substitute—

“(2) The Cases and limits are—

Case 1

Expenditure required on a non-medical personal helper, major items of specialist equipment and any other expenditure the eligible student incurs in connection with the course by reason of the student’s disability (apart from the expenditure specified in Case 2).

Limit of £31,831 in respect of an academic year of a course.

Case 2

Additional expenditure incurred—

- (a) within the United Kingdom for the purpose of attending an institution, and
- (b) within or outside the United Kingdom for the purpose of attending, as part of the present course, any period of study at an overseas institution (including the University of London Institute in Paris).

Limited to the actual expenditure incurred for this purpose.”

10. In regulation 85 (payment of grants and maintenance loans)—

- (a) in paragraph (3), for “paragraphs (4) and (5)” substitute “paragraph (5)”;
- (b) omit paragraph (4).

11. In Schedule 4 (disabled postgraduate student’s grant)—

(2) S.I. 2018/191 (W. 42), amended by S.I. 2018/813 (W. 164), S.I. 2018/814 (W. 165), S.I. 2019/235 (W. 54), S.I. 2019/1094, S.I. 2019/1192 (W. 209), S.I. 2020/142 (W. 25), S.I. 2020/153 (W. 27), S.I. 2020/708 (W. 159), S.I. 2020/1302 (W. 287) and S.I. 2021/9 (W. 4).

- (a) in paragraph 14(2), for “the quarter or quarters of the academic year beginning after the relevant event occurs” substitute “the academic year from the date that the relevant event occurs”;
- (b) in paragraph 18(6)(d), for “of the purposes” substitute “type of expenditure”;
- (c) in paragraph 20—

- (i) for sub-paragraph (1) substitute—

“(1) The amount of disabled postgraduate student’s grant payable to an eligible postgraduate student in respect of an academic year is the amount—

- (a) which the Welsh Ministers think appropriate, but
 - (b) which does not exceed the aggregate amount of the limits applicable in respect of the Cases listed in sub-paragraph (2).”;

- (ii) for sub-paragraph (2) substitute—

“(2) The Cases and the limits are—

Case 1

Expenditure required on a non-medical personal helper, major items of specialist equipment and any other expenditure the eligible postgraduate student incurs in connection with the course by reason of the student’s disability (apart from the expenditure specified in Case 2).

Limit of £31,831 in respect of an academic year of a course.

Case 2

Additional expenditure incurred—

- (a) within the United Kingdom for the purpose of attending an institution, and
 - (b) within or outside the United Kingdom for the purpose of attending, as part of the present course, any period of study at an overseas institution (including the University of London Institute in Paris).

Limited to the actual expenditure incurred for this purpose.”

12. In Schedule 7 (index of defined terms), in Table 16 omit—

- (a) ““eligible expenditure” (in relation to disabled postgraduate student’s grant)” in the first column, and
- (b) the corresponding entry of “Schedule 4, paragraph 20(2)” in the second column.