
STATUTORY INSTRUMENTS

2005 No. 52

The Education (Student Support) Regulations 2005

PART 1

GENERAL

Revocation, savings and transitional provisions

3.—(1) Subject to paragraphs (2) to (5), the regulations mentioned in Schedule 1 are revoked on 1st September 2005.

(2) The 2003 Regulations shall continue to apply to the provision of support to students in relation to an academic year which begins on or after 1st September 2003 but before 1st September 2004.

(3) The 2004 Regulations shall continue to apply to the provision of support to students in relation to an academic year which begins on or after 1st September 2004 but before 1st September 2005.

(4) The Education (Grants for Disabled Postgraduate Students) Regulations 2000⁽¹⁾ shall continue to apply to the provision of support to postgraduate students with disabilities in relation to an academic year which begins before 1st September 2005.

(5) Part 9 of the 2003 Regulations shall apply to loans until the end of 31st August 2004, Part 9 of the 2004 Regulations shall apply to loans until the end of 31st August 2005 and regulations 27 and 28 of Part 6 of these Regulations shall apply to loans on and after 1st September 2005.

(6) These Regulations shall apply in relation to the provision of support to students in relation to an academic year which begins on or after 1st September 2005 whether anything done under these Regulations is done before, on or after 1st September 2005.

(7) Notwithstanding any other provision in these Regulations where—

- (a) a person attends a course in respect of which a transitional award was bestowed on him; or
- (b) no award under the 1962 Act was bestowed in respect of the course but a transitional award would have been bestowed on him if he had applied for an award under the 1962 Act and his resources had not exceeded his requirements,

he shall be an eligible student for the purposes of Parts 4 and 5 in connection with the course, or in connection with any subsequent course to which the award (either bestowed or which would have been bestowed under the 1962 Act) would have been transferred if transitional awards provided for payments after the first year of a course, but unless paragraph (8) applies he shall qualify for support by way of loan under Part 6 only if he is an eligible student under these Regulations and if he satisfies the qualifying conditions in Part 6.

(8) Notwithstanding any other provision in these Regulations, where any person received or was eligible to receive a loan in relation to an academic year of a course under the 1998 Regulations he shall be an eligible student for the purposes of Part 6 in connection with the course, or any subsequent designated course which (disregarding any intervening vacation) he starts immediately after ceasing that course, but unless paragraph (7) applies he shall qualify for support by way of grant under

(1) S.I.2000/2330, amended by S.I. 2000/3087, S.I. 2001/2300, S.I. 2002/2104, S.I. 2003/1588 and S.I. 2004/1658.

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Parts 4 and 5 only if he is an eligible student under these Regulations and if he satisfies the relevant qualifying conditions in Parts 4 and 5.

(9) Modifications to these Regulations which apply while section 1 of the Civil Partnership Act 2004⁽²⁾ is not in force in England and Wales are set out in Part 11.

(2) 2004 c. 33.