STATUTORY INSTRUMENTS

2007 No. 176

The Education (Student Support) Regulations 2007

PART 12

SUPPORT FOR POSTGRADUATE STUDENTS WITH DISABILITIES

Period of eligibility

130.—(1) A student retains his status as an eligible postgraduate student in connection with a designated postgraduate course until the status is terminated in accordance with this regulation and regulation 127.

(2) The period for which an eligible postgraduate student retains the status is the "period of eligibility".

(3) Subject to the following paragraphs and regulation 127, the period of eligibility terminates at the end of the period ordinarily required for the completion of the designated postgraduate course.

(4) The period of eligibility terminates when the eligible postgraduate student—

(a) withdraws from his designated postgraduate course in circumstances where the Secretary of State has not transferred or will not transfer his status as an eligible postgraduate student to another course under regulation 131; or

(b) abandons or is expelled from his designated postgraduate course.

(5) Where the eligible postgraduate student is undertaking a designated postgraduate course that is a part-time course, the period of eligibility terminates at the end of the relevant academic year where he cannot complete the course within the period specified in regulation 129(1)(b)(ii).

(6) For the purposes of paragraph (5), "relevant academic year" means the academic year during or at the end of which it becomes impossible for the student to complete the course within the period specified in regulation 129(1)(b)(ii).

(7) The Secretary of State may terminate the period of eligibility where the eligible postgraduate student has shown himself by his conduct to be unfitted to receive support.

(8) If the Secretary of State is satisfied that an eligible postgraduate student has failed to comply with any requirement to provide information under this Part or has provided information which is inaccurate in a material particular, the Secretary of State may take such of the following actions as he considers appropriate in the circumstances—

(a) terminate the period of eligibility;

(b) determine that the student no longer qualifies for a grant or any particular amount of grant;

(c) treat any support paid to the student as an overpayment which may be recovered under regulation 136.

(9) Where the period of eligibility terminates on or before the expiry of the period ordinarily required for the completion of the designated postgraduate course, the Secretary of State may, at any time, renew the period of eligibility for such period as he determines.