

SCHEDULE 5

Regulation 3

AMENDMENT OF THE EDUCATION (STUDENT SUPPORT) REGULATIONS 2008

Amendment of regulation 2 of the 2008 Regulations

1. In regulation 2 (1) in the definition of “2008 cohort student” after sub-paragraph (a), insert
“(aa) the current course leads to qualification as a social worker.”

Amendment of regulation 4(10) of the 2008 Regulations

2. In regulation 4(10)(a)(i) omit “or” and insert—
“(iA) an eligible distance learning student in connection with a designated distance learning course; or”
3. In regulation 4(10)(b) after “as an eligible part-time student”, insert “, as an eligible distance learning student”.

Amendment of regulation 104 of the 2008 Regulations

4. In regulation 104, after paragraph (7) insert—
“(7A) – (1) Subject to paragraph (7C), no support under Part 5 is due in respect of any day of an academic year on which the eligible student is a prisoner, unless in the opinion of the Secretary of State it would be appropriate in all the circumstances for support to be paid in respect of that day.
(7B) Paragraph (7A) does not apply in respect of disabled student’s allowance.
(7C) In deciding whether it would be appropriate for support to be due under paragraph (7A) the circumstances to which the Secretary of State must have regard include the financial hardship not paying the support would cause and whether not paying the support would affect the student’s ability to continue the course.”

Amendment of regulation 110 of the 2008 Regulations

5. In regulation 110, after paragraph (8) insert—
“(8A) Subject to paragraph (8B), no support under Part 6 is due in respect of any day of an academic year on which the eligible student is a prisoner, unless in the opinion of the Secretary of State it would be appropriate in all the circumstances for support to be paid in respect of that day.
(8B) In deciding whether it would be appropriate for support to be due under paragraph (8A) the circumstances to which the Secretary of State must have regard include the financial hardship which not paying the support would cause and whether not paying the support would affect the student’s ability to continue the course.”

Amendment of regulation 120(2)(a) of the 2008 Regulations

6. In regulation 120(2)(a) for “£7.60”, substitute “£7.58”

Amendment to regulation 132(9) of the 2008 Regulations

7. In regulation 132(9)(a)(i) omit “or” and insert—
“(iA) an eligible distance learning student in connection with a designated distance learning course other than the current designated distance learning course; or”.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

8. In regulation 132(9)(b) after “as an eligible student”, insert “, as an eligible distance learning student”.

Amendment of Part 2 of Schedule 1 of the 2008 Regulations

9. For paragraph 8 (1) (b) and (c) substitute—

“(b) was ordinarily resident in England and settled in the United Kingdom immediately before leaving the United Kingdom and who has exercised a right of residence;

(c) is ordinarily resident in the United Kingdom on the day on which the first term of the first academic year actually begins;”