
STATUTORY INSTRUMENTS

2008 No. 529

The Education (Student Support) Regulations 2008

PART 12

SUPPORT FOR PART-TIME COURSES

Designated part-time courses

134.—(1) Subject to paragraphs (2) and (3), a part-time course is designated for the purposes of section 22(1) of the 1998 Act and regulation 132 if—

- (a) it is a course mentioned in Schedule 2 other than a course for the initial training of teachers;
- (b) it is of at least one academic year's duration;
- (c) it is ordinarily possible to complete the course in not more than twice the period ordinarily required to complete the full-time equivalent;
- (d) it is wholly provided by a publicly funded educational institution or institutions in the United Kingdom or is provided by such institution or institutions in conjunction with an institution or institutions outside the United Kingdom;
- (e) it is not designated by or under regulation 5; and
- (f) it is not designated under regulation 117.

(2) A course falling within paragraph 7 or 8 of Schedule 2 is not a designated part-time course where the governing body of a maintained school has arranged for the provision of such a course to a pupil of the school.

(3) A course that is taken as part of an employment-based teacher training scheme is not a designated part-time course.

(4) For the purposes of paragraph (1)—

- (a) a course is provided by an institution if it provides the teaching and supervision which comprise the course, whether or not the institution has entered into an agreement with the student to provide the course;
- (b) a university and any constituent college or institution in the nature of a college of a university is to be regarded as publicly funded if either the university or the constituent college or institution is publicly funded; and
- (c) an institution 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⁽¹⁾.

(5) For the purposes of paragraph (1)(c)—

- (a) “full-time equivalent” means a full-time course leading to the same qualification as the part-time course in question;
- (b) “period ordinarily required to complete the full-time equivalent” means—

(1) 1992 c. 13; section 65(3A) was inserted by the Teaching and Higher Education Act 1998 (c. 30), section 27.

- (i) where the course is provided by or on behalf of the Open University, the period that a standard full-time student would require to complete the full-time equivalent if he were awarded 120 credit points in each academic year;
- (ii) where the course is provided by or on behalf of any other institution, the period in which a standard full-time student would complete the full-time equivalent;
- (c) “standard full-time student” is a student who is to be taken—
 - (i) to have begun the full-time equivalent on the same date as the eligible part-time student began the part-time course in question;
 - (ii) not to have been excused any part of the full-time equivalent;
 - (iii) not to have repeated any part of the full-time equivalent; and
 - (iv) not to be absent from the full-time equivalent other than during vacations.
- (6) For the purposes of section 22 of the 1998 Act and regulation 132(1) the Secretary of State may designate courses of higher education which are not designated by paragraph (1).