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STATUTORY INSTRUMENTS

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**2011 No. 1986**

**The Education (Student Support) Regulations 2011**

**PART 4**

**FEE [<sup>F1</sup>LOANS]**

**CHAPTER 3**

**FEE LOANS FOR CURRENT SYSTEM STUDENTS**

**Availability of fee loans to current system students - general**

**19.—<sup>F2</sup>(1)** .....

(2) Subject to paragraph (3), a current system student does not qualify for a fee loan in respect of an academic year of a designated course that is [<sup>F3</sup>—

- (a) a bursary year;
- (b) an Erasmus year of a course provided by an institution in Northern Ireland <sup>F4</sup>...; or
- (c) an Erasmus year of a course provided by an institution in England [<sup>F5</sup>, Wales or Scotland] where the course began before 1st September 2012].

(3) Paragraph (2) does not apply where the current course is the graduate entry accelerated programme.

[<sup>F6</sup>(3A) A current system student qualifies for a fee loan in respect of an academic year of the current course in accordance with paragraphs (3B) to [<sup>F7</sup>(3E)] where the Secretary of State determines that the conditions in regulation 13(3A) are satisfied.

(3B) If the Secretary of State makes the determination before the first day of the first academic year of the current course then the current system student qualifies for a fee loan in respect of the first academic year of the current course.

(3C) If the Secretary of State makes the determination on or after the first day of the first academic year of the current course then the current system student qualifies for a fee loan in respect of—

- (a) the academic year of the current course during which the Secretary of State makes the determination; and
- (b) an academic year of the current course which the student has completed prior to the Secretary of State making the determination.

[<sup>F8</sup>(3D) Paragraphs (3B) and (3C) do not apply if the Secretary of State considers that there are exceptional circumstances.]

[  
<sup>F9</sup>(3E) Where the Secretary of State considers that there are exceptional circumstances, the Secretary of State may determine that the student should qualify for a fee loan in respect of one or more academic years of the current course, as appropriate, whether or not the student has completed those academic years prior to the Secretary of State making the determination.]

(4) When assessing an application for support in respect of an academic year of a designated course, the Secretary of State must determine the “standard entitlement”.

(5) The standard entitlement is calculated in accordance with regulation 20, 21 or 22.

(6) When assessing an application for support in respect of an academic year of a designated course, the Secretary of State must allocate a fee loan from the standard entitlement first to the final standard academic year of the course and then to each preceding standard academic year in turn until the standard entitlement is exhausted or a fee loan has been allocated to each standard academic year of the course.

(7) A current system student qualifies for a fee loan in respect of a standard academic year of the designated course if the Secretary of State allocates a fee loan to that year when assessing the application for support for that year.

[<sup>F10</sup>(8) In addition to the standard entitlement, a current system student who falls within regulation 21 and has failed to complete the most recent previous course because of compelling personal reasons qualifies for a fee loan in respect of the first academic year that the student takes of the designated course that is not—

- (a) a bursary year;
- (b) an Erasmus year of a course provided by an institution in Northern Ireland <sup>F11</sup> ...; or
- (c) an Erasmus year of a course provided by an institution in England [<sup>F12</sup>, Wales or Scotland] which began before 1st September 2012.]

(9) Where a current system student qualifies for a fee loan under paragraph (8), the Secretary of State must not allocate a fee loan under paragraph (6) to the first academic year that the student takes of the designated course that is not [<sup>F13</sup>—

- (a) a bursary year;
- (b) an Erasmus year of a course provided by an institution in Northern Ireland <sup>F14</sup> ...; or
- (c) an Erasmus year of a course provided by an institution in England [<sup>F15</sup>, Wales or Scotland] where the course began before 1st September 2012].

[<sup>F16</sup>(9A) In addition to the standard entitlement, a current system student qualifies for a fee loan in respect of an academic year of a current course in accordance with [<sup>F17</sup>this paragraph and paragraphs (9D) and (9E)] where—

- (a) the student falls within regulation 21 or 22; and
- (b) the Secretary of State determines that—
  - (i) the student has provided all information required by the Secretary of State in relation to all courses which have been undertaken and qualifications which are held by the student;
  - (ii) that information is accurate; and
  - (iii) the Secretary of State has provided written notification that the student qualifies for a fee loan under this regulation in respect of [<sup>F18</sup>—
    - (aa) the first academic year of the current course, where the determination by the Secretary of State is made before the first day of the first academic year of the current course;
    - (bb) the academic year of the current course during which the determination by the Secretary of State is made;

(cc) an academic year of the current course in respect of which the determination of the Secretary of State is made, which the student has completed before the making of that determination].

<sup>F19</sup>(9B) .....

<sup>F20</sup>(9C) .....

[<sup>F21</sup>(9D) [<sup>F22</sup>Paragraph (9A)(b)(iii) does] not apply if the Secretary of State considers that there are exceptional circumstances.]

[<sup>F23</sup>(9E) Where the Secretary of State considers that there are exceptional circumstances, the Secretary of State may determine that the student should qualify for a fee loan in respect of one or more academic years of the current course, as appropriate, whether or not the student has completed those academic years prior to the Secretary of State making the determination.]

(10) In addition to the standard entitlement, if the Secretary of State determines that the student is repeating an academic year of the designated course because of compelling personal reasons, a current system student qualifies for a fee loan in respect of the year of repeat study provided that the academic year that the student is repeating was a qualifying year of study and the year of repeat study is not a bursary year.

(11) A current system student qualifies for a fee loan in respect of an academic year of a designated course that is a year of repeat study which the student is taking other than for compelling personal reasons if—

- (a) the academic year which the student is repeating was a qualifying year of study;
- (b) the academic year of repeat study is not a bursary year; and
- (c) when the academic year of repeat study is added to the number of any other academic years of repeat study that the student has already taken on the current course other than for compelling personal reasons, it does not exceed the number of additional years of support.

(12) In this regulation, the “number of additional years of support” is the number of years which make up the standard entitlement less the number of standard academic years (plus one where the student qualifies for a fee loan under paragraph (8)).

(13) The amount of the fee loan in respect of an academic year is determined in accordance with regulation 23 and may be nil.]]

<b>F2</b>	Reg. 19(1) omitted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by virtue of <a href="#">The Education (Student Support) (Amendment) Regulations 2015 (S.I. 2015/1951)</a> , regs. 1(3)(a), <b>10</b>
<b>F3</b>	Words in reg. 19(2) substituted (with application in accordance with reg. 1(2)(b) of the amending S.I.) by <a href="#">The Education (Student Support and European University Institute) (Amendment) Regulations 2013 (S.I. 2013/1728)</a> , regs. 1(2)(a), <b>7(a)</b>
<b>F4</b>	Words in reg. 19(2)(b) omitted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by virtue of <a href="#">The Education (Student Fees, Awards and Support) (Amendment) Regulations 2017 (S.I. 2017/114)</a> , regs. 1(3), <b>8(a)</b>
<b>F5</b>	Words in reg. 19(2)(c) inserted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by <a href="#">The Education (Student Fees, Awards and Support) (Amendment) Regulations 2017 (S.I. 2017/114)</a> , regs. 1(3), <b>8(b)</b>
<b>F6</b>	Reg. 19(3A)-(3D) inserted (with application in accordance with reg. 1(4)(b) of the amending S.I.) by <a href="#">The Education (Student Support) (Amendment) Regulations 2014 (S.I. 2014/2765)</a> , regs. 1(4)(a), <b>7(a)</b>
<b>F7</b>	Word in reg. 19(3A) substituted (27.2.2018) by <a href="#">The Education (Student Fees, Awards and Support) (Amendment) Regulations 2018 (S.I. 2018/137)</a> , regs. 1(2), <b>4(1)(a)</b>
<b>F8</b>	Reg. 19(3D) substituted (27.2.2018) by <a href="#">The Education (Student Fees, Awards and Support) (Amendment) Regulations 2018 (S.I. 2018/137)</a> , regs. 1(2), <b>4(1)(b)</b>

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Education (Student Support) Regulations 2011. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- F9** Reg. 19(3E) inserted (27.2.2018) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2018 (S.I. 2018/137), regs. 1(2), **4(1)(c)**
- F10** Reg. 19(8) substituted (with application in accordance with reg. 1(2)(b) of the amending S.I.) by The Education (Student Support and European University Institute) (Amendment) Regulations 2013 (S.I. 2013/1728), regs. 1(2)(a), **7(b)**
- F11** Words in reg. 19(8)(b) omitted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by virtue of The Education (Student Fees, Awards and Support) (Amendment) Regulations 2017 (S.I. 2017/114), regs. 1(3), **8(c)**
- F12** Words in reg. 19(8)(c) inserted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2017 (S.I. 2017/114), regs. 1(3), **8(d)**
- F13** Words in reg. 19(9) substituted (with application in accordance with reg. 1(2)(b) of the amending S.I.) by The Education (Student Support and European University Institute) (Amendment) Regulations 2013 (S.I. 2013/1728), regs. 1(2)(a), **7(c)**
- F14** Words in reg. 19(9)(b) omitted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by virtue of The Education (Student Fees, Awards and Support) (Amendment) Regulations 2017 (S.I. 2017/114), regs. 1(3), **8(e)**
- F15** Words in reg. 19(9)(c) inserted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2017 (S.I. 2017/114), regs. 1(3), **8(f)**
- F16** Reg. 19(9A)-(9D) inserted (with application in accordance with reg. 1(4)(b) of the amending S.I.) by The Education (Student Support) (Amendment) Regulations 2014 (S.I. 2014/2765), regs. 1(4)(a), **7(b)**
- F17** Words in reg. 19(9A) substituted (23.12.2021) by The Education (Student Fees, Awards and Support) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1348), regs. 1(1), **8(2)(a)(i)**
- F18** Reg. 19(9A)(b)(iii)(aa)-(cc) substituted for words in reg. 19(9A)(b)(iii) (23.12.2021) by The Education (Student Fees, Awards and Support) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1348), regs. 1(1), **8(2)(a)(ii)**
- F19** Reg. 19(9B) omitted (23.12.2021) by virtue of The Education (Student Fees, Awards and Support) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1348), regs. 1(1), **8(2)(b)**
- F20** Reg. 19(9C) omitted (23.12.2021) by virtue of The Education (Student Fees, Awards and Support) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1348), regs. 1(1), **8(2)(b)**
- F21** Reg. 19(9D) substituted (27.2.2018) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2018 (S.I. 2018/137), regs. 1(2), **4(1)(e)**
- F22** Words in reg. 19(9D) substituted (23.12.2021) by The Education (Student Fees, Awards and Support) (Amendment) (No. 3) Regulations 2021 (S.I. 2021/1348), regs. 1(1), **8(2)(c)**
- F23** Reg. 19(9E) inserted (27.2.2018) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2018 (S.I. 2018/137), regs. 1(2), **4(1)(f)**

### Standard entitlement of current system students who have not studied on a previous course

**20.** The standard entitlement of a current system student who has not studied on a previous course is calculated as follows—

$$OD + 1$$

where

*OD* is the number of academic years that make up the ordinary duration of the course.

### **Standard entitlement of current system students who have transferred from or otherwise studied on a previous course**

**21.**—(1) The standard entitlement of a current system student who has studied on a previous course and who does not fall within regulation 22 is calculated as follows—

$$(OD + 1) - PC$$

where

*OD* is the number of academic years that make up the ordinary duration of the course

*PC* is the number of academic years that the student has spent on previous courses.

(2) For the purposes of this regulation, a “current system student who has studied on a previous course” includes a current system student whose status as an eligible student has been transferred to the current course as a result of one or more transfers of that status by the Secretary of State pursuant to regulations made by the Secretary of State under section 22 of the 1998 Act from a designated course which—

- (a) is a previous course; and
- (b) the student began on or after 1st September 2006.

### **Standard entitlement of current system students on end-on courses and certain degree courses**

**22.**—(1) Where the current course began before 1st September 2009, this regulation applies to—

- (a) a current system student who is on an end-on course of the kind described in paragraph (a) or (b) of the definition of “end-on course” in regulation 2;
- (b) a current system student who—
  - (i) has completed a full-time course mentioned in paragraph 2 or 3 of Schedule 2;
  - (ii) is on a full-time first degree course (other than a first degree course for the initial training of teachers) that the student did not begin immediately after the course referred to in paragraph (i); and
  - (iii) has not taken [<sup>F24</sup>(in whole or in part)] a full-time first degree course after the course referred to in paragraph (i) and before the current course;
- (c) a current system student who—
  - (i) has completed a full-time foundation degree course;
  - (ii) is on a full-time honours degree course that the student did not begin immediately after the course referred to in paragraph (i); and
  - (iii) has not taken [<sup>F25</sup>(in whole or in part)] a full-time first degree course after the course referred to in paragraph (i) and before the current course.

[<sup>F26</sup>(2) Where the current course begins on or after 1st September 2009, this regulation applies to a current system student who—

- (a) has completed a course mentioned in paragraph 2, 3 or 4 of Schedule 2 or overseas equivalent, or a foundation degree course or overseas equivalent, on a full-time, part-time or full-time distance learning basis, or [<sup>F27</sup>an intensive course] and achieved a qualification;
- (b) is on a full-time honours degree course (other than a first degree course for the initial training of teachers); and

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- (c) has not taken [<sup>F28</sup>(in whole or in part)] a full-time first degree course after the course referred to in paragraph (a) and before the current course.]
- (3) Regulations 20 and 21 do not apply to students to whom this regulation applies.
- (4) The standard entitlement of a student to whom paragraph (1) applies is calculated as follows—

$$(D + X) - PrC$$

where

*D* is the greater of 3 and the number of academic years that make up the ordinary duration of the course

*X* is 1 where the ordinary duration of the preliminary course (or preliminary courses in total) was less than three years and 2 where the ordinary duration of the preliminary course (or preliminary courses in total) was three years

*PrC* is the number of academic years that the student spent on preliminary courses [<sup>F29</sup>(including any academic years that the student began or ceased to attend part of the way through the year),] excluding any years of repeat study for compelling personal reasons.

- (5) <sup>F30</sup>...The standard entitlement of a student to whom paragraph (2) applies is calculated as follows—

$$(D + X) - PrC$$

where

*D* is the greater of 3 and the number of academic years that make up the ordinary duration of the course

*X* is—

1 where the ordinary duration of the preliminary course (or preliminary courses in total) was less than three years, [<sup>F31</sup>and]

[<sup>F32</sup>where the ordinary duration of the preliminary course (or preliminary courses in total) was three years or more, the ordinary duration minus 1]

*PrC* is the number of academic years that the student spent on preliminary courses [<sup>F33</sup>(including any academic years that the student began or ceased to attend part of the way through the year),] excluding any years of repeat study for compelling personal reasons.

<sup>F34</sup>(6) .....

<b>F24</b>	Words in reg. 22(1)(b)(iii) inserted (15.1.2014) by <a href="#">The Education (Fees and Student Support) (Amendment) Regulations 2013 (S.I. 2013/3106)</a> , regs. 1(2), <b>6</b>
<b>F25</b>	Words in reg. 22(1)(c)(iii) inserted (15.1.2014) by <a href="#">The Education (Fees and Student Support) (Amendment) Regulations 2013 (S.I. 2013/3106)</a> , regs. 1(2), <b>6</b>
<b>F26</b>	Reg. 22(2) substituted (1.8.2012) by <a href="#">The Education (Student Fees, Awards and Support) (Amendment) Regulations 2012 (S.I. 2012/1653)</a> , regs. 1(3), <b>11(a)</b>
<b>F27</b>	Words in reg. 22(2) substituted (with application in accordance with reg. 1(2)(5) of the amending S.I.) by <a href="#">The Education (Student Fees, Awards and Support etc.) (Amendment) Regulations 2019 (S.I. 2019/142)</a> , regs. 1(1), <b>10</b>
<b>F28</b>	Words in reg. 22(2)(c) inserted (15.1.2014) by <a href="#">The Education (Fees and Student Support) (Amendment) Regulations 2013 (S.I. 2013/3106)</a> , regs. 1(2), <b>6</b>
<b>F29</b>	Words in reg. 22(4) inserted (23.12.2015) by <a href="#">The Education (Student Support) (Amendment) Regulations 2015 (S.I. 2015/1951)</a> , regs. 1(2), <b>11(a)</b>

- F30** Words in reg. 22(5) omitted (1.8.2013) by virtue of The Education (Student Support and European University Institute) (Amendment) Regulations 2013 (S.I. 2013/1728), regs. 1(3), **8(a)**
- F31** Word in reg. 22(5) inserted (1.8.2013) by The Education (Student Support and European University Institute) (Amendment) Regulations 2013 (S.I. 2013/1728), regs. 1(3), **8(b)**
- F32** Words in reg. 22(5) substituted (1.8.2013) by The Education (Student Support and European University Institute) (Amendment) Regulations 2013 (S.I. 2013/1728), regs. 1(3), **8(c)**
- F33** Words in reg. 22(5) inserted (23.12.2015) by The Education (Student Support) (Amendment) Regulations 2015 (S.I. 2015/1951), regs. 1(2), **11(b)**
- F34** Reg. 22(6) omitted (1.8.2012) by virtue of The Education (Student Fees, Awards and Support) (Amendment) Regulations 2012 (S.I. 2012/1653), regs. 1(3), **11(b)**

### Amount of the fee loan

23.—(1) For the purposes of this Part,—

- (a) where a student (“A”) transfers to the current course pursuant to regulation 7 on or after 1st September 2012 from a full time course beginning before 1st September 2012; or
- (b) where the current course is an end-on course of the kind described in paragraph (e) of the definition of “end-on course” in regulation 2;

the current course is treated as beginning before 1st September 2012 in relation to A.

[<sup>F35</sup>(1A) In this regulation “new accelerated course” means an accelerated course which begins on or after 1st August 2019.]

(2) The amount of a fee loan in respect of an academic year of a designated course must not exceed the lesser of—

- (a) the fees payable by the student in connection with that year; and
- (b) the maximum amount.

(3) For the purposes of this regulation, the “maximum amount” means—

- (a) £3,465 where the current course began before 1st September 2012 unless paragraph (5) [<sup>F36</sup>, (5A)] [<sup>F37</sup>, (6), (6A) or (6B)] applies; <sup>F38</sup>...
- (b) [<sup>F39</sup>£9,250] where the current course—
  - (i) begins on or after 1st September 2012; and
  - (ii) is provided by or on behalf of [<sup>F40</sup>an approved (fee cap) provider] [<sup>F41</sup>in England]; unless paragraph [<sup>F42</sup>(3)(d),] (6) [<sup>F43</sup>, (6A), (6B), (6C) or (8)] [<sup>F44</sup>applies;]

[<sup>F45</sup>(c) £9,250 where the current course is a course for the initial training of teachers provided by an accredited institution which is an unregistered provider, unless paragraph (6)(b), (6A) (b), (6B)(b) or (6C) applies; or

- (d) where the current course is a new accelerated course provided by or on behalf of an approved (fee cap) provider in England—
  - (i) £11,100 unless paragraph (7A), (7B) or (7C) applies;
  - (ii) £2,220 where paragraph (7A) applies; or
  - (iii) £1,660 where paragraph (7B) or (7C) applies.]

[<sup>F46</sup>(4) Where the current course begins on or after 1st September 2012 and—

- (a) is provided by an approved provider in England (other than on behalf of an approved (fee cap) provider, a publicly funded institution or a regulated institution);
- (b) is provided by an unregistered provider, a private institution or a non-regulated institution on behalf of an approved provider; or

- (c) is provided by an unregistered provider in England (other than on behalf of an approved or an approved (fee cap) provider where the course began before 1st August 2019; and
  - (d) (i) in a case specified in sub-paragraph (a) or (b) the provider of the course does not have a high level quality rating; or
    - (ii) in a case specified in sub-paragraph (c) the provider of the course did not have a high level quality rating in the academic year starting before 1st August 2019,
- the “maximum amount” is the amount specified in paragraph (4ZA).

(4ZA) The maximum amount is—

- (a) £6,000, unless sub-paragraph (e), or paragraph (7), (7A), (7B) or (8) applies;
- (b) £3,000 where paragraph (7) applies and sub-paragraph (e) does not apply;
- (c) £1,200 where paragraph (7A) applies and sub-paragraph (e) does not apply;
- (d) £900 where paragraph (7B) applies and sub-paragraph (e) does not apply; or
- (e) in the case of a new accelerated course—
  - (i) £7,200, unless paragraph (7A) or (7B) applies;
  - (ii) £1,440 where paragraph (7A) applies; or
  - (iii) £1,080 where paragraph (7B) applies.]

[<sup>F47</sup>(4A) Where the current course begins on or after 1st September 2012 and—

- (a) is provided by an approved provider, a private institution or a non-regulated institution (other than on behalf of an approved (fee cap) provider, a publicly funded institution or a regulated institution);
- (b) is provided by an unregistered provider in England on behalf of an approved provider; or
- (c) is provided by an unregistered provider in England (other than on behalf of an approved or an approved (fee cap) provider) where the course began before 1st August 2019; and
- (d) (i) in a case specified in sub-paragraph (a) or (b) the provider of the course has a high level quality rating; or
  - (ii) in a case specified in sub-paragraph (c) the provider of the course had a high level quality rating in the academic year starting before 1st August 2019,

the “maximum amount” is the amount specified in paragraph (4B).

(4B) The maximum amount is—

- (a) £6,165, or £7,400 in the case of a new accelerated course, unless paragraph (7), (7A), (7B) or (8) applies;
- (b) £3,080 where paragraph (7) applies and the current course is not an accelerated course;
- (c) £1,230, or £1,475 in the case of a new accelerated course, where paragraph (7A) applies and the course is provided by an approved provider in England (other than on behalf of an approved (fee cap) provider, a publicly funded institution or a regulated institution);
- (d) £1,230 where paragraph (7A) applies, the course is provided by a private institution in Wales (other than on behalf of an approved (fee cap) provider or a publicly funded institution) and began before 1st September 2017;
- (e) £1,230 where paragraph (7A) applies, the course is provided by a non-regulated institution in Wales (other than on behalf of an approved (fee cap) provider, a publicly funded institution or a regulated institution) and the course begins on or after 1st September 2017;
- (f) £3,080 where paragraph (7A) applies and the course is provided by a private institution in Northern Ireland or Scotland (other than on behalf of an approved (fee cap) provider, a publicly funded institution or a regulated institution);



- (g) £920, or £1,105 in the case of a new accelerated course, where paragraph (7B) applies and the course is provided by an approved provider in England (other than on behalf of an approved (fee cap) provider, a publicly funded institution or a regulated institution);
- (h) £920 where paragraph (7B) applies, the course is provided by a private institution in Wales (other than on behalf of an approved (fee cap) provider or a publicly funded institution), and began before 1st September 2017;
- (i) £920 where paragraph (7B) applies, the course is provided by a non-regulated institution in Wales (other than on behalf of an approved (fee cap) provider, a publicly funded institution or a regulated institution), and begins on or after 1st September 2017;
- (j) £3,080 where paragraph (7B) applies and the course is provided by a private institution in Northern Ireland or Scotland (other than on behalf of an approved (fee cap) provider, a publicly funded institution or a regulated institution).]

[<sup>F48</sup>(5) Where the current course began on or after 1st August 2012 and is provided [<sup>F49</sup>by or on behalf of an institution in Scotland or Northern Ireland], the “maximum amount” is—

- (a) £9,250 where the course is provided by or on behalf of a publicly funded institution, unless paragraph (7), (7A), (7B) or (8) applies;
- (b) £6,000 where the course is provided by a private institution (other than on behalf of [<sup>F50</sup>an approved (fee cap) provider, a publicly funded institution or a regulated institution]), unless paragraph (4A), (7), (7A), (7B) or (8) applies;
- (c) £4,625 where the course is provided by or on behalf of a publicly funded institution and paragraph (7), (7A) or (7B) applies;
- (d) £3,000 where the course is provided by a private institution (other than on behalf of [<sup>F51</sup>an approved (fee cap) provider, a publicly funded institution or a regulated institution]) and paragraph (7), (7A) or (7B) applies, unless paragraph (4A) applies.]

[<sup>F52</sup>(5ZA) Where the current course begins on or after 1st August 2012 and before 1st September 2017, and is provided by or on behalf of an institution in Wales, the “maximum amount” is—

- (a) £9,000 where the course is provided by or on behalf of a publicly funded institution, unless paragraph (7), (7A), (7B) or (8) applies;
- (b) £6,000 where the course is provided by a private institution (other than on behalf of [<sup>F53</sup>an approved (fee cap) provider or] a publicly funded institution), unless paragraph (4A), (7), (7A), (7B) or (8) applies;
- (c) £4,500 where the course is provided by or on behalf of a publicly funded institution, and paragraph (7) applies;
- (d) £3,000 where the course is provided by a private institution (other than on behalf of [<sup>F54</sup>an approved (fee cap) provider or] a publicly funded institution) and paragraph (7) applies, unless paragraph (4A) applies;
- (e) £1,800 where the course is provided by or on behalf of a publicly funded institution, and paragraph (7A) applies;
- (f) £1,200 where the course is provided by a private institution (other than on behalf of [<sup>F55</sup>an approved (fee cap) provider or] a publicly funded institution) and paragraph (7A) applies, unless paragraph (4A) applies;
- (g) £1,350 where the course is provided by or on behalf of a publicly funded institution, and paragraph (7B) applies; or
- (h) £900 where the course is provided by a private institution (other than on behalf of [<sup>F56</sup>an approved (fee cap) provider or] a publicly funded institution) and paragraph (7B) applies, unless paragraph (4A) applies.

(5ZB) Where the current course begins on or after 1st September 2017, and is provided by or on behalf of an institution in Wales, the “maximum amount” is—

- (a) £9,000 where the course is provided by or on behalf of a regulated institution, unless paragraph (7), (7A), (7B) or (8) applies;
- (b) £6,000 where the course is provided by a non-regulated institution [<sup>F57</sup>(other than on behalf of an approved (fee cap) provider, a publicly funded institution or a regulated institution)], unless paragraph (4A), (7), (7A), (7B) or (8) applies;
- (c) £4,500 where the course is provided by or on behalf of a regulated institution, and paragraph (7) applies;
- (d) £3,000 where the course is provided by a non-regulated institution [<sup>F57</sup>(other than on behalf of an approved (fee cap) provider, a publicly funded institution or a regulated institution)] and paragraph (7) applies, unless paragraph (4A) applies;
- (e) £1,800 where the course is provided by or on behalf of a regulated institution, and paragraph (7A) applies;
- (f) £1,200 where the course is provided by a non-regulated institution [<sup>F57</sup>(other than on behalf of an approved (fee cap) provider, a publicly funded institution or a regulated institution)] and paragraph (7A) applies, unless paragraph (4A) applies;
- (g) £1,350 where the course is provided by or on behalf of a regulated institution, and paragraph (7B) applies; or
- (h) £900 where the course is provided by a non-regulated institution [<sup>F57</sup>(other than on behalf of an approved (fee cap) provider, a publicly funded institution or a regulated institution)] and paragraph (7B) applies, unless paragraph (4A) applies.]

[<sup>F58</sup>(5A) Where the current course began before 1st August 2012 and is provided by an institution in Northern Ireland, the maximum amount is [<sup>F59</sup>£4,030], or, where paragraph (7), (7A) or (7B) applies, [<sup>F59</sup>£2,005].]

- (6) [<sup>F60</sup>Where paragraph (7) applies], the “maximum amount” is—
  - (a) £1,725 where the current course began before 1st September 2012 unless paragraph (5) [<sup>F61</sup>or (5A)] applies; or
  - (b) [<sup>F62</sup>£4,625] where the current course began on or after 1st September 2012 unless paragraph (4) [<sup>F63</sup>(4A), (5), (5ZA) or (5ZB)] applies.

[<sup>F64</sup>(6A) Where paragraph (7A) applies, the “maximum amount” is—

- (a) £1,725 where the current course began before 1st September 2012, unless paragraph (5) or (5A) applies;
- (b) [<sup>F65</sup>£1,850] where the current course began on or after 1st September 2012 and is provided by [<sup>F66</sup>or on behalf of an approved (fee cap) provider or by an accredited institution which is an unregistered provider] in England <sup>F67</sup>..., unless paragraph [<sup>F68</sup>(3)(d)] applies; or
- (c) [<sup>F69</sup>£4,625] where the current course began on or after 1st September 2012 and is provided by [<sup>F70</sup>or on behalf of a publicly funded institution] in Northern Ireland or Scotland <sup>F71</sup>....

(6B) Where paragraph (7B) applies, the “maximum amount” is—

- (a) £1,725 where the current course began before 1st September 2012, unless paragraph (5) or (5A) applies;
- (b) [<sup>F72</sup>£1,385] where the current course began on or after 1st September 2012 and is provided by [<sup>F73</sup>or on behalf of an approved (fee cap) provider or by an accredited institution which is an unregistered provider] in England <sup>F74</sup>..., unless paragraph [<sup>F75</sup>(3)(d)] applies; or

(c) [<sup>F76</sup>£4,625] where the current course began on or after 1st September 2012 and is provided by [<sup>F77</sup>or on behalf of a publicly funded institution] in Northern Ireland or Scotland<sup>F78</sup> ....

<sup>F79</sup>(6C) Where paragraph (7C) applies, the “maximum amount” is—

- (a) £1,350 where the course is provided by or on behalf of a publicly funded or regulated institution in Wales; or
- (b) £1,385 where the course is provided—
  - (i) by or on behalf of an approved (fee cap) provider;
  - (ii) by an accredited institution which is an unregistered provider in England; or
  - (iii) by or on behalf of a publicly funded institution in Scotland.]

(7) [<sup>F80</sup>This paragraph applies in respect of]—

(a) the final academic year of a designated course where that academic year is normally required to be completed after less than 15 weeks' attendance; [<sup>F81</sup>or]

<sup>F82</sup>(b) .....

(c) in respect of a course for the initial training of teachers which—

- (i) began before 1st September 2010; or
- (ii) begins on or after 1st September 2010 where the student transfers to the current course pursuant to regulation 7 from a course for the initial training of teachers beginning before 1st September 2010,

an academic year during which any periods of full-time study are in aggregate less than 10 weeks;

<sup>F82</sup>(d) .....

[

<sup>F83</sup>(7A) This paragraph applies in respect of an academic year of a sandwich course—

- (a) during which any periods of full-time study are in aggregate less than 10 weeks; or
- (b) if in respect of that academic year and any previous academic years of the course the aggregate of any one or more periods of attendance which are not periods of full-time study at the institution (disregarding intervening vacations) exceeds 30 weeks.

(7B) This paragraph applies in respect of an academic year of a course provided in conjunction with an overseas institution which is not an Erasmus year—

- (a) during which any periods of full-time study at the institution in the United Kingdom are in aggregate less than 10 weeks; or
- (b) if in respect of that academic year and any previous academic years of the course the aggregate of any one or more periods of attendance which are not periods of full-time study at the institution in the United Kingdom (disregarding intervening vacations) exceeds 30 weeks.

(7C) This paragraph applies in respect of an Erasmus year of a course provided by an institution in England [<sup>F84</sup>, Wales or Scotland] which began on or after 1st September 2012.]

(8) Where the current course is a graduate entry accelerated programme, the “maximum amount” is [<sup>F85</sup>£5,785 for the first academic year of the course, otherwise £5,535].

[

<sup>F86</sup>(8A) But paragraph (8B) applies where—

- (a) a designated course is provided by or on behalf of a publicly funded institution in Scotland, Northern Ireland or Wales or a regulated institution in Wales, or by an institution in Scotland, Northern Ireland or Wales on behalf of an approved (fee cap) provider;
- (b) on or before the date on which these Regulations are made, the Secretary of State has notified to an institution referred to in sub-paragraph (a) a level for the number of students starting the first year of courses at that institution in respect of an academic year commencing on or after 1st August 2020 and before 1st August 2021 (“AY 2020/21”), and
- (c) the number of students to whom that level applies is exceeded by that institution in AY 2020/21.

(8B) The maximum amounts set out in this regulation are reduced in respect of that institution in relation to the first academic year of a current course where that course commences on or after 1st August 2021 and before 1st August 2022—

- (a) by 3% where the level is exceeded but not by more than 6%;
- (b) by 9% where the level is exceeded by more than 6% but not more than 12%;
- (c) by 15% where the level is exceeded by more than 12%.]

(9) A student may apply to the Secretary of State to reduce the amount of loan for which the student has applied in respect of a period of the academic year for which the academic authority has not made a request to the Secretary of State for payment of the fee loan or fee loan instalment under regulation 113.]

- F35** Reg. 23(1A) inserted (with application in accordance with reg. 1(2)(5) of the amending S.I.) by [The Education \(Student Fees, Awards and Support etc.\) \(Amendment\) Regulations 2019 \(S.I. 2019/142\)](#), regs. 1(1), **11(2)**
- F36** Word in reg. 23(3)(a) inserted (with application in accordance with reg. 1(2)(b) of the amending S.I.) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2012 \(S.I. 2012/1653\)](#), regs. 1(2)(a), **12(a)**
- F37** Words in reg. 23(3)(a) substituted (with application in accordance with reg. 1(2)(b) of the amending S.I.) by [The Education \(Student Support and European University Institute\) \(Amendment\) Regulations 2013 \(S.I. 2013/1728\)](#), regs. 1(2)(a), **9(a)(i)**
- F38** Word in reg. 23(3)(a) omitted (with application in accordance with reg. 1(2)(3)(5) of the amending S.I.) by virtue of [The Education \(Student Fees, Awards and Support etc.\) \(Amendment\) Regulations 2019 \(S.I. 2019/142\)](#), regs. 1(1), **11(3)(a)**
- F39** Sum in reg. 23(3)(b) substituted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2017 \(S.I. 2017/114\)](#), reg. 1(3), **Sch. 2**
- F40** Words in reg. 23(3)(b)(ii) substituted (with application in accordance with reg. 1(2)(3)(5) of the amending S.I.) by [The Education \(Student Fees, Awards and Support etc.\) \(Amendment\) Regulations 2019 \(S.I. 2019/142\)](#), regs. 1(1), **11(3)(b)**
- F41** Words in reg. 23(3)(b)(ii) inserted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2017 \(S.I. 2017/114\)](#), regs. 1(3), **9(a)**
- F42** Words in reg. 23(3)(b) inserted (with application in accordance with reg. 1(2)(3)(5) of the amending S.I.) by [The Education \(Student Fees, Awards and Support etc.\) \(Amendment\) Regulations 2019 \(S.I. 2019/142\)](#), regs. 1(1), **11(3)(c)(i)**
- F43** Words in reg. 23(3)(b) substituted (with application in accordance with reg. 1(2)(b) of the amending S.I.) by [The Education \(Student Support and European University Institute\) \(Amendment\) Regulations 2013 \(S.I. 2013/1728\)](#), regs. 1(2)(a), **9(a)(ii)**
- F44** Word in reg. 23(3)(b) substituted (with application in accordance with reg. 1(2)(3)(5) of the amending S.I.) by [The Education \(Student Fees, Awards and Support etc.\) \(Amendment\) Regulations 2019 \(S.I. 2019/142\)](#), regs. 1(1), **11(3)(c)(ii)**

- F45** Reg. 23(3)(c)(d) inserted (with application in accordance with reg. 1(2)(3)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) Regulations 2019 (S.I. 2019/142), regs. 1(1), **11(3)(d)**
- F46** Reg. 23(4)(4ZA) substituted for reg. 23(4) (with application in accordance with reg. 1(2)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) Regulations 2019 (S.I. 2019/142), regs. 1(1), **11(4)**
- F47** Reg. 23(4A)(4B) substituted for reg. 23(4A) (with application in accordance with reg. 1(2)(3)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) Regulations 2019 (S.I. 2019/142), regs. 1(1), **11(5)**
- F48** Reg. 23(5) substituted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2017 (S.I. 2017/114), regs. 1(3), **9(d)**
- F49** Words in reg. 23(5) substituted (with application in accordance with reg. 1(2)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) Regulations 2019 (S.I. 2019/142), regs. 1(1), **11(6)(a)**
- F50** Words in reg. 23(5)(b) substituted (with application in accordance with reg. 1(2)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) Regulations 2019 (S.I. 2019/142), regs. 1(1), **11(6)(b)**
- F51** Words in reg. 23(5)(d) substituted (with application in accordance with reg. 1(2)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) Regulations 2019 (S.I. 2019/142), regs. 1(1), **11(6)(c)**
- F52** Reg. 23(5ZA)(5ZB) inserted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2017 (S.I. 2017/114), regs. 1(3), **9(e)**
- F53** Words in reg. 23(5ZA)(b) inserted (with application in accordance with reg. 1(2)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) Regulations 2019 (S.I. 2019/142), regs. 1(1), **11(7)(a)**
- F54** Words in reg. 23(5ZA)(d) inserted (with application in accordance with reg. 1(2)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) Regulations 2019 (S.I. 2019/142), regs. 1(1), **11(7)(b)**
- F55** Words in reg. 23(5ZA)(f) inserted (with application in accordance with reg. 1(2)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) Regulations 2019 (S.I. 2019/142), regs. 1(1), **11(7)(c)**
- F56** Words in reg. 23(5ZA)(h) inserted (with application in accordance with reg. 1(2)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) Regulations 2019 (S.I. 2019/142), regs. 1(1), **11(7)(d)**
- F57** Words in reg. 23(5ZB) inserted (with application in accordance with reg. 1(2)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) Regulations 2019 (S.I. 2019/142), regs. 1(1), **11(8)**
- F58** Reg. 23(5A) substituted (with application in accordance with reg. 1(2)(b) of the amending S.I.) by The Education (Student Support and European University Institute) (Amendment) Regulations 2013 (S.I. 2013/1728), regs. 1(2)(a), **9(d)**
- F59** Sums in reg. 23(5A) substituted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2017 (S.I. 2017/114), reg. 1(3), **Sch. 2**
- F60** Words in reg. 23(6) substituted (with application in accordance with reg. 1(2)(b) of the amending S.I.) by The Education (Student Support and European University Institute) (Amendment) Regulations 2013 (S.I. 2013/1728), regs. 1(2)(a), **9(e)**
- F61** Words in reg. 23(6)(a) inserted (with application in accordance with reg. 1(2)(b) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2012 (S.I. 2012/1653), regs. 1(2)(a), **12(c)**

- F62** Sum in reg. 23(6)(b) substituted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2017 (S.I. 2017/114), reg. 1(3), **Sch. 2**
- F63** Words in reg. 23(6)(b) inserted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2017 (S.I. 2017/114), regs. 1(3), **9(f)**
- F64** Reg. 23(6A)-(6C) inserted (with application in accordance with reg. 1(2)(b) of the amending S.I.) by The Education (Student Support and European University Institute) (Amendment) Regulations 2013 (S.I. 2013/1728), regs. 1(2)(a), **9(f)**
- F65** Sum in reg. 23(6A)(b) substituted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2017 (S.I. 2017/114), reg. 1(3), **Sch. 2**
- F66** Words in reg. 23(6A)(b) substituted (with application in accordance with reg. 1(2)(3)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) Regulations 2019 (S.I. 2019/142), regs. 1(1), **11(9)(a)(i)**
- F67** Words in reg. 23(6A)(b) omitted (with application in accordance with reg. 1(3)(5) of the amending S.I.) by virtue of The Education (Student Fees, Awards and Support) (Amendment) Regulations 2018 (S.I. 2018/137), regs. 1(2), **5(1)(a)**
- F68** Word in reg. 23(6A)(b) substituted (with application in accordance with reg. 1(2)(3)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) Regulations 2019 (S.I. 2019/142), regs. 1(1), **11(9)(a)(ii)**
- F69** Sum in reg. 23(6A)(c) substituted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2017 (S.I. 2017/114), reg. 1(3), **Sch. 2**
- F70** Words in reg. 23(6A)(c) substituted (with application in accordance with reg. 1(2)(3)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) Regulations 2019 (S.I. 2019/142), regs. 1(1), **11(9)(b)(i)**
- F71** Words in reg. 23(6A)(c) omitted (with application in accordance with reg. 1(2)(3)(5) of the amending S.I.) by virtue of The Education (Student Fees, Awards and Support etc.) (Amendment) Regulations 2019 (S.I. 2019/142), regs. 1(1), **11(9)(b)(ii)**
- F72** Sum in reg. 23(6B)(b) substituted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2017 (S.I. 2017/114), reg. 1(3), **Sch. 2**
- F73** Words in reg. 23(6B)(b) substituted (with application in accordance with reg. 1(2)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) Regulations 2019 (S.I. 2019/142), regs. 1(1), **11(10)(a)(i)**
- F74** Words in reg. 23(6B)(b) omitted (with application in accordance with reg. 1(3)(5) of the amending S.I.) by virtue of The Education (Student Fees, Awards and Support) (Amendment) Regulations 2018 (S.I. 2018/137), regs. 1(2), **5(1)(a)**
- F75** Word in reg. 23(6B)(b) substituted (with application in accordance with reg. 1(2)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) Regulations 2019 (S.I. 2019/142), regs. 1(1), **11(10)(a)(ii)**
- F76** Sum in reg. 23(6B)(c) substituted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by The Education (Student Fees, Awards and Support) (Amendment) Regulations 2017 (S.I. 2017/114), reg. 1(3), **Sch. 2**
- F77** Words in reg. 23(6B)(c) substituted (with application in accordance with reg. 1(2)(5) of the amending S.I.) by The Education (Student Fees, Awards and Support etc.) (Amendment) Regulations 2019 (S.I. 2019/142), regs. 1(1), **11(10)(b)(i)**
- F78** Words in reg. 23(6B)(c) omitted (with application in accordance with reg. 1(2)(5) of the amending S.I.) by virtue of The Education (Student Fees, Awards and Support etc.) (Amendment) Regulations 2019 (S.I. 2019/142), regs. 1(1), **11(10)(b)(ii)**

- F79** Reg. 23(6C) substituted (with application in accordance with reg. 1(2)(3)(5) of the amending S.I.) by [The Education \(Student Fees, Awards and Support etc.\) \(Amendment\) Regulations 2019 \(S.I. 2019/142\)](#), regs. 1(1), **11(11)**
- F80** Words in reg. 23(7) substituted (with application in accordance with reg. 1(2)(b) of the amending S.I.) by [The Education \(Student Support and European University Institute\) \(Amendment\) Regulations 2013 \(S.I. 2013/1728\)](#), regs. 1(2)(a), **9(g)(i)**
- F81** Word in reg. 23(7)(a) inserted (with application in accordance with reg. 1(2)(b) of the amending S.I.) by [The Education \(Student Support and European University Institute\) \(Amendment\) Regulations 2013 \(S.I. 2013/1728\)](#), regs. 1(2)(a), **9(g)(ii)**
- F82** Reg. 23(7)(b)(d) omitted (with application in accordance with reg. 1(2)(b) of the amending S.I.) by virtue of [The Education \(Student Support and European University Institute\) \(Amendment\) Regulations 2013 \(S.I. 2013/1728\)](#), regs. 1(2)(a), **9(g)(iii)**
- F83** Reg. 23(7A)-(7C) inserted (with application in accordance with reg. 1(2)(b) of the amending S.I.) by [The Education \(Student Support and European University Institute\) \(Amendment\) Regulations 2013 \(S.I. 2013/1728\)](#), regs. 1(2)(a), **9(h)**
- F84** Words in reg. 23(7C) substituted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2017 \(S.I. 2017/114\)](#), regs. 1(3), **9(j)**
- F85** Words in reg. 23(8) substituted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by [The Education \(Student Fees, Awards and Support\) \(Amendment\) Regulations 2017 \(S.I. 2017/114\)](#), regs. 1(3), **9(k)**
- F86** Reg. 23(8A)(8B) inserted (13.8.2020) by [The Higher Education \(Fee Limits and Student Support\) \(England\) \(Coronavirus\) Regulations 2020 \(S.I. 2020/853\)](#), regs. 1, **4**

### Amount of fee loan for transferring students

**24.**—(1) If a student's status as an eligible student is transferred from one designated course to another under regulation 7 and the circumstances in paragraph (2) apply, the student may apply to the Secretary of State to borrow an additional amount by way of a fee loan in respect of the academic year of the course to which that student transfers.

(2) The circumstances are—

- (a) the fees payable in respect of the academic year of the course to which the current system student transfers exceed the fees payable in respect of the academic year of the course from which the student is transferring; and
- (b) the academic year of the course to which the current system student transfers does not begin on a later date than the academic year of the course from which the student is transferring.

(3) If a student's status as an eligible student is transferred from one designated course to another under regulation 7 and the circumstances in paragraph (4) apply, the student may apply to the Secretary of State for another fee loan in respect of the academic year of the course to which the student transfers.

(4) The circumstances are that the academic year of the course to which the current system student transfers begins on a later date than the academic year of the course from which that student is transferring.

(5) Where the circumstances in paragraph (2) apply, the maximum additional amount that the current system student may borrow in respect of the academic year to which that student transfers, provided that the student qualifies for a fee loan in respect of that year, is determined by deducting the amount of any fee loan the student has taken out under these Regulations in respect of the academic year from which the student is transferring from the lesser of—

- (a) the maximum amount specified in [<sup>F87</sup>paragraphs (3) to (6C)] of regulation 23 applicable in the student's case; and
  - (b) the fees payable by the student in respect of the academic year to which the student is transferring.
- (6) Where the circumstances in paragraph (4) apply, the maximum amount of fee loan that a current system student may borrow in respect of the academic year to which that student transfers provided that the student qualifies for a fee loan in respect of that year is the lesser of—
- (a) the amount specified in [<sup>F88</sup>paragraphs (3) to (6C)] of regulation 23 applicable in the student's case; and
  - (b) the fees payable by the student in connection with that year.
- (7) Where a current system student has applied for a fee loan of less than the maximum amount available in relation to an academic year, that student may apply to borrow an additional amount which when added to the amount already applied for does not exceed the relevant maximum applicable in that student's case.
- (8) If a student's status as an eligible student is transferred from one course to another under these Regulations and the circumstances in paragraph (9) apply, the student may apply to the Secretary of State to reduce the amount of fee loan applied for in respect of the remainder of the academic year.
- (9) The circumstances are—
- (a) the fees payable in respect of the academic year of the course to which the current system student transfers are lower than the fees payable in respect of the academic year of the course from which the student is transferring;
  - (b) the academic year of the course to which the current system student transfers does not begin on a later date than the academic year of the course from which the student is transferring.
- (10) For the purposes of paragraph (9), the “remainder of the academic year” means the period of the academic year in respect of which the academic authority has not made a request to the Secretary of State for payment of the fee loan or fee loan instalment.

<p><b>F87</b> Words in <a href="#">reg. 24(5)(a)</a> substituted (26.11.2020) by <a href="#">The Education (Student Fees, Awards and Support etc.) (Amendment) (No. 3) Regulations 2020</a> (S.I. 2020/1203), regs. 1(2), <b>27(a)</b></p> <p><b>F88</b> Words in <a href="#">reg. 24(6)(a)</a> substituted (26.11.2020) by <a href="#">The Education (Student Fees, Awards and Support etc.) (Amendment) (No. 3) Regulations 2020</a> (S.I. 2020/1203), regs. 1(2), <b>27(a)</b></p>
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**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Education (Student Support) Regulations 2011. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

- blanket amendment words substituted by [S.I. 2023/1071 Sch. para. 1](#)

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 para. 11(1)(a)-(d) Sch. 1 para. 11(a)-(d) renumbered as Sch. 1 para. 11(1)(a)-(d) by [S.I. 2019/139 reg. 7\(3\)\(e\)\(i\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 14(1) Sch. 1 para. 14 renumbered as Sch. 1 para. 14(1) by [S.I. 2023/74 reg. 37\(2\)\(b\)](#)
- Sch. 1 para. 9(4) inserted by [S.I. 2019/139 reg. 7\(3\)\(b\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 11(2) inserted by [S.I. 2019/139 reg. 7\(3\)\(e\)\(iii\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 4C inserted by [S.I. 2020/46 reg. 2\(3\)\(g\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- Sch. 1 para. 4D inserted by [S.I. 2020/46 reg. 3\(3\)\(j\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- Sch. 1 para. 14(2)-(4) inserted by [S.I. 2023/74 reg. 37\(2\)\(c\)](#)
- Sch. 1 para. 11(1)(c) words inserted by [S.I. 2019/139 reg. 7\(3\)\(e\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 1 para. 11(1)(d) words inserted by [S.I. 2019/139 reg. 7\(3\)\(e\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. Amending Regulations revoked immediately before IP completion day by S.I. 2020/1181, regs. 1(2). 2)
- Sch. 2 para. 12 inserted by [S.I. 2023/74 reg. 41](#)
- Sch. 4 para. 5(3)-(5A) substituted for Sch. 4 para. 5(3)-(5) by [S.I. 2020/46 reg. 10\(3\)\(b\)\(i\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- Sch. 6 para. 3(3) inserted by [S.I. 2020/46 reg. 10\(4\)\(b\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- Sch. 6 para. 5(2)-(4A) substituted for Sch. 6 para. 5(2)-(4) by [S.I. 2020/46 reg. 10\(4\)\(c\)\(i\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 2(1ZA)(1ZB) inserted by [S.I. 2023/74 reg. 42\(3\)](#)
- reg. 2(1ZA)(e)(ii) words substituted by [S.I. 2023/521 reg. 5\(2\)\(b\)](#)
- reg. 2(14)(15) inserted by [S.I. 2020/46 reg. 4\(1\)\(a\)\(iv\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 2A inserted by [S.I. 2023/74 reg. 13](#)
- reg. 2A(3)(h) words inserted by [S.I. 2023/74 reg. 33\(3\)\(a\)](#)
- reg. 2A(3)(i) words inserted by [S.I. 2023/74 reg. 33\(3\)\(b\)](#)
- reg. 2A(5)(d) and word inserted by [S.I. 2023/74 reg. 43\(a\)](#)
- reg. 2A(6)(d) and word inserted by [S.I. 2023/74 reg. 43\(b\)](#)

- reg. 2A(7)(a) words substituted by [S.I. 2023/521 reg. 5\(3\)\(a\)](#)
- reg. 2A(7)(c) word substituted by [S.I. 2023/521 reg. 5\(3\)\(b\)](#)
- reg. 2B inserted by [S.I. 2023/74 reg. 44](#)
- reg. 4(12C) inserted by [S.I. 2020/46 reg. 3\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 4(13C)(a)(i)(cc) word substituted by [S.I. 2023/74 reg. 49\(4\)\(a\)](#)
- reg. 4(13D)(a)(i)(cc) word substituted by [S.I. 2023/74 reg. 49\(5\)\(a\)](#)
- reg. 5(2ZZA) inserted by [S.I. 2020/46 reg. 4\(1\)\(b\)\(i\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 12(1)(b)(iii)(aa) word substituted by [S.I. 2020/46 reg. 18\(2\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 17(j) inserted by [S.I. 2020/46 reg. 2\(3\)\(b\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 17(k) inserted by [S.I. 2020/46 reg. 3\(3\)\(c\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 22(2A)(2B) inserted by [S.I. 2023/74 reg. 39\(1\)\(b\)](#)
- reg. 38(7)(e)(ic) omitted by [S.I. 2023/98 Sch. para. 42](#)
- reg. 38(8)-(8B) substituted for reg. 38(8) by [S.I. 2023/74 reg. 17](#)
- reg. 41(8)-(8B) substituted for reg. 41(8) by [S.I. 2023/74 reg. 18](#)
- reg. 45(11)(11A) substituted for reg. 45(11) by [S.I. 2023/74 reg. 19](#)
- reg. 47(2A)(v)(vi) substituted for reg. 47(2A)(v) by [S.I. 2020/46 reg. 6\(2\)\(b\)\(iii\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 47(2B)(v)(vi) substituted for reg. 47(2B)(v) by [S.I. 2020/46 reg. 6\(2\)\(d\)\(iii\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 47(2B)(iv) word omitted by [S.I. 2020/46 reg. 6\(2\)\(d\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 47(2AA) word substituted by [S.I. 2020/46 reg. 6\(2\)\(c\)\(i\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 47(2AA)(i) word omitted by [S.I. 2020/46 reg. 6\(2\)\(c\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 47(2AA)(ii)(iii) substituted for reg. 47(2AA)(ii) by [S.I. 2020/46 reg. 6\(2\)\(c\)\(iii\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 47(2BA) word substituted by [S.I. 2020/46 reg. 6\(2\)\(e\)\(i\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 47(2BA)(i) word omitted by [S.I. 2020/46 reg. 6\(2\)\(e\)\(iii\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 47(2BA)(i) words inserted by [S.I. 2020/46 reg. 6\(2\)\(e\)\(ii\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 47(2BA)(ii)(iii) substituted for reg. 47(2BA)(ii) by [S.I. 2020/46 reg. 6\(2\)\(e\)\(iv\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 47(5A)(5B) inserted by [S.I. 2020/46 reg. 6\(2\)\(f\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)







- reg. 76(9)(ii) sum substituted by [S.I. 2020/46 Sch.](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 76(9)(ii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 76(9)(iv) sum substituted by [S.I. 2020/46 Sch.](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 76(9)(iv) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 77(2)(i) sum substituted by [S.I. 2020/46 Sch.](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 77(2)(i) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 77(2)(iii) sum substituted by [S.I. 2020/46 Sch.](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 77(2)(iii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 77(2)(ii) sum substituted by [S.I. 2020/46 Sch.](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 77(2)(ii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 77(2)(iv) sum substituted by [S.I. 2020/46 Sch.](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 77(2)(iv) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 77(3)(i) sum substituted by [S.I. 2020/46 Sch.](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 77(3)(i) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 77(3)(iii) sum substituted by [S.I. 2020/46 Sch.](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 77(3)(iii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 77(3)(ii) sum substituted by [S.I. 2020/46 Sch.](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 77(3)(ii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 77(3)(iv) sum substituted by [S.I. 2020/46 Sch.](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 77(3)(iv) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80A(2)(i) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80A(2)(iii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80A(2)(ii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80A(2)(iv) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80A(3)(i) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80A(3)(iii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80A(3)(ii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80A(3)(iv) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80B(2)(i) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80B(2)(iii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80B(2)(ii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80B(2)(iv) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80B(4)(i) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80B(4)(iii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80B(4)(ii) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 80B(4)(iv) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 85(1)(1A) substituted for reg. 85(1) by [S.I. 2023/74 reg. 24\(2\)](#)

- reg. 85(2)(i) inserted by [S.I. 2020/46 reg. 2\(3\)\(c\)\(ii\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 85(2)(j) inserted by [S.I. 2020/46 reg. 3\(3\)\(d\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 137(10C) inserted by [S.I. 2020/46 reg. 3\(3\)\(e\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 138(4)(k) inserted by [S.I. 2020/46 reg. 2\(3\)\(d\)\(ii\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 138(4)(l) inserted by [S.I. 2020/46 reg. 3\(3\)\(f\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 138A(2)(i) inserted by [S.I. 2020/46 reg. 2\(3\)\(e\)\(ii\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 138A(2)(j) inserted by [S.I. 2020/46 reg. 3\(3\)\(g\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 139(2A)(ca) inserted by [S.I. 2023/74 reg. 40](#)
- reg. 139(2ZAA) inserted by [S.I. 2020/46 reg. 4\(1\)\(g\)\(i\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 147(8)-(8B) substituted for reg. 147(8) by [S.I. 2023/74 reg. 27](#)
- reg. 157B(6)(a)(i)(ab) words omitted by [S.I. 2020/46 reg. 8\(1\)\(b\)\(i\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 157B(6)(a)(i)(ab) words substituted by [S.I. 2020/46 reg. 8\(1\)\(b\)\(ii\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 157G(1)(a) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 157G(1)(b) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 157G(1)(c) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 157G(1)(d) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 157J(1)(a) sum substituted by [S.I. 2020/46 Sch.](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 157J(1)(a) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 157J(1)(b) sum substituted by [S.I. 2020/46 Sch.](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 157J(1)(b) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 157J(1)(c) sum substituted by [S.I. 2020/46 Sch.](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 157J(1)(c) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 157J(1)(d) sum substituted by [S.I. 2020/46 Sch.](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 157J(1)(d) sum substituted by [S.I. 2023/74 Sch.](#)
- reg. 159(15C) inserted by [S.I. 2020/46 reg. 3\(3\)\(h\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 160(2)(i) inserted by [S.I. 2020/46 reg. 2\(3\)\(f\)\(ii\)](#) (This amendment not applied to [legislation.gov.uk](#). S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)

- reg. 160(2)(j) inserted by [S.I. 2020/46 reg. 3\(3\)\(i\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 161(3ZAA) inserted by [S.I. 2020/46 reg. 4\(1\)\(i\)\(i\)](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/46 was revoked by S.I. 2020/48, reg. 19 before ever coming into force)
- reg. 166(6) inserted by [S.I. 2023/74 reg. 31\(3\)](#)