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STATUTORY INSTRUMENTS

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**2011 No. 1986**

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

**PART 6**

**LOANS FOR LIVING COSTS**

**CHAPTER 1**

**QUALIFYING CONDITIONS**

**Interpretation of Part 6**

**68.** In this Part—

- (a) a “current system student with full entitlement” is a current system student other than a student with reduced entitlement;
- (b) “the maintenance grant amount” is, unless otherwise stated,—
  - (i) where the student qualifies under Chapter 6 of Part 5 for an amount of maintenance grant not exceeding £1,329, the amount of maintenance grant payable;
  - (ii) where the student qualifies under Chapter 6 of Part 5 for an amount of maintenance grant exceeding £1,329, £1,329; and
  - (iii) where no maintenance grant is payable, nil.
- (c) an “old system student with full entitlement” is an old system student other than a student with reduced entitlement;
- (d) the “relevant date” is the first day of the first academic year of the specified designated course;
- (e) a “student with reduced entitlement” is an eligible student who—
  - (i) does not qualify for a grant for living and other costs in respect of the academic year because of regulation 38(4)(a) or (b) or 38(6); or
  - (ii) opts when applying for a loan for living costs not to provide the information needed to calculate the household income;
- (f) where the duration of a graduate-entry or postgraduate-level course for the initial training of teachers is only one academic year, that year is not to be treated as the final year.

**Qualifying conditions for the loan for living costs – current system students**

**69.**—(1) Subject to paragraphs (3) and (4), a current system student qualifies for a loan for living costs in connection with the student’s attendance on a designated course if the student is under the age of 60 on the relevant date and—

- (a) where the student begins the course on or after 1st September 2009, the designated course does not lead to an equivalent or lower qualification unless the student’s status as an eligible student has been transferred to the current course pursuant to regulation 8 from a

- designated course which began before 1st September 2009 and the student does not have an honours degree from an institution in the United Kingdom; or
- (b) where the student began the course before 1st September 2009, the student does not have an honours degree from an institution in the United Kingdom.
- (2) The condition in paragraph (1)(a) or (b) does not apply where—
- (a) the designated course leads to qualification as a social worker, medical doctor, dentist, veterinary surgeon or architect;
- (b) the designated course began before 1st September 2009 and leads to qualification as a landscape architect, landscape designer, landscape manager, town planner or town and country planner;
- (c) the current system student is eligible to apply for a healthcare bursary or a Scottish healthcare allowance, the amount of which is calculated by reference to that student's income whether or not the calculation results in a nil amount in respect of any academic year of the course; or
- (d) the current system student is on a course for the initial training of teachers.
- (3) A current system student does not qualify for a loan for living costs if—
- (a) the only paragraph in Part 2 of Schedule 1 into which the student falls is paragraph 9;
- (b) the student is a prisoner; or
- (c) the current course is a distance learning course.
- (4) A current system student does not qualify for a loan for living costs in connection with the student's attendance on a designated course if that course is a flexible postgraduate course for the initial training of teachers which is of less than one academic year's duration.

#### **Qualifying conditions for the loan for living costs – old system students**

- 70.**—(1) Subject to paragraphs (4) to (6), an old system student who falls within paragraph (a) or (d)(i) of the definition of “old system student” in regulation 2 qualifies for a loan for living costs in connection with the student's attendance on a designated course if the student is under the age of 60 on the relevant date.
- (2) Subject to paragraph (4), an old system student who falls within paragraph (b), (c) or (d)(ii) of the definition of “old system student” in regulation 2 qualifies for a loan for living costs in connection with the student's attendance on a designated course if the student—
- (a) is under the age of 60 on the relevant date; and
- (b) does not have an honours degree from an institution in the United Kingdom.
- (3) The requirement in paragraph (2)(b) does not apply where—
- (a) the designated course leads to qualification as a social worker, medical doctor, dentist, veterinary surgeon, architect, landscape architect, landscape designer, landscape manager, town planner or town and country planner;
- (b) the old system student is eligible to receive any payment under a healthcare bursary the amount of which is calculated by reference to the student's income or a Scottish healthcare allowance the amount of which is calculated by reference to the student's income in respect of any academic year of the course; or
- (c) the old system student is on a course for the initial training of teachers.
- (4) An old system student does not qualify for a loan for living costs if the only paragraph in Part 2 of Schedule 1 into which the student falls is paragraph 9.

(5) An old system student does not qualify for a loan for living costs in connection with the student's attendance on a designated course if that course is a flexible postgraduate course for the initial training of teachers which is of less than one academic year's duration.

(6) An old system student does not qualify for a loan for living costs if the student is a prisoner.