
STATUTORY INSTRUMENTS

2017 No. 114

The Education (Student Fees, Awards and Support) (Amendment) Regulations 2017

Amendment of the Education (Student Support) Regulations 2011

3. In regulation 2(1) (Interpretation)—

(a) after the definition of “accelerated course”, insert—

““allied health profession subject” means chiropody, dietetics, dietetics and nutrition, occupational therapy, orthoptics, orthotics and prosthetics, physiotherapy, podiatry, radiography, radiotherapy, and speech and language therapy;”;

(b) for the definition of “bursary year”, substitute—

““bursary year” means an academic year of a course in relation to which the student is—

(a) eligible to apply for a healthcare bursary the amount of which is calculated by reference to income whether or not the calculation results in a nil amount;

(b) eligible to apply for a Scottish healthcare allowance the amount of which is calculated by reference to income whether or not the calculation results in a nil amount; or

(c) eligible for a healthcare tuition payment;”;

(c) in the definition of “Erasmus year”—

(i) in sub-paragraph (b), omit “or Scotland”;

(ii) in sub-paragraph (c), for “or Wales”, substitute “, Scotland or Wales”;

(d) for the definition of “healthcare bursary”, substitute—

““healthcare bursary” means a bursary or award of similar description under—

(a) section 63 of the Health Services and Public Health Act 1968(1) made in respect of—

(i) a course provided by an institution in England beginning before 1st August 2017;

(1) 1968 c. 46. Section 63 was amended by the National Health Service (Scotland) Act 1972 (c.58), Schedule 7, the National Health Service Reorganisation Act 1973 (c.32), Schedules 4 and 5, the National Health Service Act 1977 (c.49), Schedules 15 and 16, the National Health Service (Scotland) Act 1978 (c.29), Schedules 16 and 17, the Local Government Act 1985 (c.51), Schedule 17, the Health and Medicines Act 1988 (c.49), sections 20 and 25(2) and Schedule 3, the Local Government (Scotland) Act 1994 (c.39), Schedule 13, the Health Authorities Act 1995 (c.17), Schedule 1, S.I. 1996/1008, the National Health Service (Primary Care) Act 1997 (c.46), Schedule 2, the Health Act 1999 (c.8), Schedule 4, the Health and Social Care Act 2001 (c.15), Schedule 5, the National Health Service Reform and Health Care Professions Act 2002 (c.17), Schedules 2, 5 and 9, S.I. 2002/2202, article 4, S.I. 2002/2469, Schedule 1, the Health and Social Care (Community Health and Standards) Act 2003 (c.43), Schedules 4, 11 and 14, S.I. 2004/288, article 7, the Children Act 2004 (c.31), section 55, S.I. 2004/957, the Schedule, the Smoking, Health and Social Care (Scotland) Act 2005 (Consequential Modifications) (England, Wales and Northern Ireland) Order 2006/1056, Schedule 1, the National Health Service Consequential Provisions) Act 2006 (c.43), Schedule 1, S.I. 2006/1056 and S.I. 2007/961, Schedule 1, the Health Act 2009, Schedule 1, the Health and Social Care Act 2012 (c.7), Schedule 5, the Care Act 2014 (c.23), section 97 and S.I. 2016/413.

- (ii) a course provided by an institution in England beginning on or after 1st August 2017, where that course leads to qualification as a paramedic, medical doctor or dentist;
 - (iii) a course provided by an institution in Scotland or Northern Ireland, where that course leads to qualification as a medical doctor or dentist;
 - (iv) a course provided by an institution in Wales; or
- (b) article 44 of the Health and Personal Social Services (Northern Ireland) Order 1972(2);
- (e) after the definition of “healthcare bursary”, insert—
 - ““healthcare tuition payment” means a payment for tuition in connection with the NHS Bursary Scheme in England, established pursuant to section 63 of the Health Services and Public Health Act 1968, in respect of a course beginning on or after 1st August 2017, except where that course leads to qualification as a medical doctor or dentist;”;
- (f) after the definition of “maintained school”, insert—
 - ““non-regulated institution” means an institution in Wales that does not have a fee and access plan in force approved by the Higher Education Funding Council for Wales under section 7 of the Higher Education (Wales) Act 2015(3);”;
- (g) in the definition of “ordinary duration”—
 - (i) in sub-paragraph (b), omit “or Scotland”;
 - (ii) in sub-paragraph (c), for “or Wales” substitute “, Scotland or Wales”;
 - (iii) after sub-paragraph (c), insert—
 - “(d) Erasmus years of a course provided by an institution in Scotland where the course began on or after 1st September 2012 and where the Erasmus year begins before 1st August 2017;”;
- (h) after the definition of “preliminary course”, insert—
 - “pre-registration course” means an education and training programme leading to a qualification which is a condition of inclusion in the register (or as the case may be, the relevant part or parts of the register) maintained respectively by the Health and Care Professions Council for allied health profession subjects and operating department practice, the Nursing and Midwifery Council for midwifery or nursing, or the Health and Care Professions Council and Nursing and Midwifery Council for nursing and social work”;
- (i) after the definition of “refugee”, insert—
 - ““regulated institution” means an institution that has a fee and access plan in force approved by the Higher Education Funding Council for Wales under section 7 of the Higher Education (Wales) Act 2015;”;
- (j) in the definition of “standard academic year”—
 - (i) in sub-paragraph (b), omit “or Scotland”;
 - (ii) in sub-paragraph (c), for “or Wales” substitute “, Scotland or Wales”;
 - (iii) after sub-paragraph (c), insert—

(2) S.I. 1972/1265 (N.I. 14).

(3) 2015 anaw. 1.

“(d) an Erasmus year of a course provided by an institution in Scotland where the course began on or after 1st September 2012 and where the Erasmus year begins before 1st August 2017;”.