
WELSH STATUTORY INSTRUMENTS

2006 No. 126

**The Assembly Learning Grants and Loans
(Higher Education) (Wales) Regulations 2006**

PART 2

ELIGIBILITY

Period of eligibility

6.—(1) An eligible student retains his or her status as an eligible student for the duration of the period of eligibility.

(2) Subject to the following paragraphs, the “period of eligibility” terminates at the end of the academic year in which the student completes the designated course.

(3) Despite paragraph (1), a new system eligible student or gap-year student who has not attended a previous course is only eligible for a grant or loan for fees or a grant for living costs in respect of the present course for the number of academic years equal to **OD+R+1**.

(4) Despite paragraph (1), a new system eligible student or gap-year student who has attended a previous course is only eligible for grants or loans for fees and grants for living costs in respect of the present course for the number of academic years equal to **(OD+R+1)–PC**, except that—

- (a) no deduction equivalent to PC applies in the case of a teacher training student; and
- (b) one additional year is added in the case of an eligible student who did not complete successfully the latest previous course because of compelling personal reasons.

(5) Despite paragraph (1), a continuing student is only eligible for a grant or loan for fees or a grant for living costs in respect of the present course for the number of academic years equal to **(A+R+1)–Y**.

(6) Despite paragraph (1) and subject to paragraphs (7), a transferring student is only eligible for a grant or loan for fees or a grant for living costs in respect of the present course for the number of academic years equal to **(A+R+1)–Y**.

(7) A transferring student starting the first full academic year of a further course to which he or she transfers under regulation 8 after 1 September 2006 is only eligible for a grant or loan for fees or a grant for living costs in respect of the further course for the number of years equal to **(A+R+1)–Y–Z**.

(8) In any case where the number of academic years for which a grant or loan for fees or a grant for living costs is available in accordance with this regulation is less than the number of academic years that make up the period ordinarily required for the completion of the present course, the academic years in which he or she is eligible for a grant or loan for fees or a grant for living costs are the latest years of the present course.

(9) In this regulation—

- (a) **A** is the number of academic years from 31 August 2006 that make up the period ordinarily required for the completion of the present course or, in the case of a transferring student, the previous course;

- (b) **OD** is number of academic years that make up the period ordinarily required for the completion of the present course;
 - (c) **PC** is the number of years of attendance by the eligible student on a previous course;
 - (d) **R** is the number of repeated academic years on the present course starting on or after 1 September 2006 that are repeats of preceding academic years that the eligible student was unable to complete successfully because of compelling personal reasons;
 - (e) **Y** is the number of years of the present course, or the previous course in the case of a transferring student, in respect of which it has been determined before 1 September 2006 under regulations made under section 22 of the Act that support was not available;
 - (f) **Z** is the number of academic years spent on a previous course beginning on or after 1 September 2006;
 - (g) “continuing student” is an old system eligible student who started the present course before 1 September 2006;
 - (h) “teacher training student” (“*myfyriwr ar gwrs hyfforddi athrawon*”) means a student attending a course for the initial training of teachers where the duration of the course does not exceed 2 years (the duration of a part-time course being expressed in its full-time equivalent) and the student is not a qualified teacher;
 - (i) “transferring student” means an eligible student who starts the present course on or after 1 September 2006 having had his or her status as an eligible student transferred to that course as a result of one or more transfers of that status pursuant to regulations made under section 22 of the Act from a designated course which he or she began before 1 September 2006.
- (10) In calculating the number of years for the purpose of this regulation attendance for part of an academic year is treated as a whole academic year
- (11) The National Assembly may, at any time, renew or extend the period of eligibility for such further period as it determines.
- (12) The National Assembly may confer eligibility to grants and loans for fees and grants for living costs otherwise than in accordance with paragraphs (3) to (9).
- (13) The period of eligibility terminates when the eligible student—
- (a) withdraws from the student’s designated course in circumstances where the National Assembly has not converted or will not convert the student’s status as an eligible student under regulation 58(1); or
 - (b) abandons, or is expelled from, the student’s designated course.
- (14) The National Assembly may terminate the period of eligibility where the eligible student has shown himself or herself by his or her conduct to be unfitted to receive support.
- (15) If the National Assembly is satisfied that an eligible student has failed to comply with any requirement to provide information under these Regulations or has provided information which is inaccurate in a material particular, the National Assembly may take such of the following actions as it considers appropriate in the circumstances—
- (a) terminate the period of eligibility;
 - (b) determine that the student no longer qualifies for any particular support or particular amount of support;
 - (c) treat any support paid to the student as an overpayment which may be recovered under regulation 49.