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WELSH STATUTORY INSTRUMENTS

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**2008 No. 3170**

**The Assembly Learning Grants and Loans (Higher Education) (Wales) (No.2) Regulations 2008**

**PART 4**

**GRANTS AND LOANS FOR FEES**

**Chapter 2**

**GRANTS FOR FEES**

**Grants for fees: qualifying conditions for old system eligible students**

**15.**—(1) This regulation applies to an old system eligible student who began a designated course before 1 September 2006 and is continuing on that course after 31 August 2009 (a “continuing student”).

(2) Subject to paragraph (5) and regulations 6 and 7, an old system eligible student qualifies in accordance with this regulation for a grant in respect of the fees for an academic year payable by the student in respect of, or otherwise in connection with, the student’s attendance on a designated course.

(3) The amount of the grant for fees in respect of an academic year is determined in accordance with regulation 16 or 17.

(4) A continuing student does not qualify for support in respect of an academic year of a designated course if—

- (a) that year is bursary year or an Erasmus year; or
- (b) the designated course is a flexible postgraduate ITT course.

(5) A continuing student does not qualify for a grant for fees in respect of any academic year of the course that begins on or after 1 September 2009 where in the course of assessing an application for support in respect of an academic year of the designated course that began before 1 September 2006 the Welsh Ministers determined in accordance with regulations made by them under section 22 of the Act that the student did not qualify for fee support in respect of the designated course.

**Amount of grants for fees at a publicly funded institution and at a private institution on behalf of a publicly funded institution: old system eligible students**

**16.**—(1) Unless one of the following cases set out in paragraph (4) applies, the amount of the grant for fees for an old system eligible student in respect of an academic year of a designated course at a publicly-funded institution is the lesser of—

- (a) £1,285; and
- (b) the fees payable by the student in connection with that year.

(2) The basic amount of the grant for fees for an old system eligible student in respect of an academic year in the cases in paragraph (4) is the lesser of—

- (a) £640; and
  - (b) the fees payable by the student in connection with that year.
- (3) Where a contribution exceeding nil is calculated under Schedule 5, a deduction will be made from the grant for fees determined under paragraph (1) or (2) in accordance with regulation 54.
- (4) The cases are—
- (a) the final year of the course where that year is ordinarily required to be completed after less than 15 weeks' attendance;
  - (b) in respect of a sandwich course, an academic year—
    - (i) during which any periods of full-time study are in aggregate less than 10 weeks; or
    - (ii) 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;
  - (c) in respect of a course for the initial training of teachers (including a course leading to a first degree), an academic year during which any periods of full-time study are in aggregate less than 10 weeks;
  - (d) in respect of a course provided in conjunction with an overseas institution, an academic year—
    - (i) during which the periods of full-time study at the institution in the United Kingdom are in aggregate less than 10 weeks; or
    - (ii) 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.
- (5) In the case of a designated course at Heythrop College, the amount of the grant for fees in respect of an academic year is £2,300.
- (6) In the case of a designated course at Guildhall School of Music and Drama, the amount of the grant for fees in respect of an academic year is £4,680.
- (7) The basic amount of the grant for fees in respect of an academic year at a private institution providing a designated course on behalf of a public institution is the lesser of £1,205 and the fees payable by the student in connection with that year if—
- (a) the designated course began on or after 1 September 2001;
  - (b) the designated course is provided on behalf of a publicly-funded institution; and
  - (c) none of the circumstances in regulation 16(4) applies.
- (8) The amount of the grant for fees in respect of an academic year at a private institution providing a designated course on behalf of a public institution is the lesser of £640 and the fees payable by the student in connection with that year if—
- (a) the designated course began on or after 1 September 2001;
  - (b) the designated course is provided on behalf of a publicly-funded institution; and
  - (c) one or more of the circumstances in regulation 16(4) applies.
- (9) Where a contribution exceeding nil is calculated under Schedule 5, a deduction will be made from the amount of the grant for fees determined under paragraph (7) or (8) in accordance with regulation 54.

### **Amount of the grant for fees at a private institution: old system eligible students**

17.—(1) Subject to paragraph (2), the amount of the grant for fees in respect of an academic year of a designated course at a private institution is the lesser of—

- (a) £1,205; and
- (b) the fees payable by the student in connection with that year.

(2) In the case of a designated course at the University of Buckingham, the amount of the grant for fees in respect of an academic year is £3,050.

### **New fee grant**

18.—(1) Subject to paragraph (2), a student who qualifies for a new fee grant may apply under this regulation for a new fee grant of an amount not exceeding the maximum available (in accordance with paragraph (3) or (4), as the case may be) in respect of, or otherwise in connection with, his or her attendance on a qualifying designated course.

(2) A new fee grant is not available in respect of an academic year if—

- (a) that year is a bursary year or an Erasmus year; or
- (b) the designated course is an old flexible postgraduate ITT course.

(3) The maximum amount of grant available under this regulation to an applicant in respect of an academic year of a qualifying designated course where none of the circumstances in regulation 16(4) applies is £1,940 or the amount by which the fees payable by him or her exceed £1,285, whichever is the lesser.

(4) The maximum amount of grant available in respect of such an academic year under this regulation to an applicant where one of the circumstances in regulation 16(4) applies is £970 or the amount by which the fees payable by him or her exceed £640, whichever is the lesser.

(5) In these Regulations, “student who qualifies for a new fee grant” (“myfyriwr sydd â hawl i gael grant newydd at ffioedd”), in relation to a qualifying designated course, means a new system eligible student who is a person whom the Welsh Ministers have determined in connection with the designated course falls within one of the categories set out in Part 2 of Schedule 1.

(6) In these Regulations, “qualifying designated course” (“*cwrs dynodedig cymhwysol*”), in relation to a student who qualifies for a new fee grant, means a designated course provided by a publicly-funded institution in Wales.