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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 12**

SUPPORT FOR PART-TIME COURSES

**Part-time grants for dependants — initial calculations**

**89.**—(1) Subject to the following paragraphs and regulations 91 to 93, the amount payable in respect of a particular element of the part-time grants for dependants for which the eligible part-time student qualifies is the amount of that element remaining after applying, until it is extinguished, an amount equal to  $(A - B)$  as follows and in the following order—

- (a) to reduce the basic amount of the part-time adult dependants' grant where the eligible part-time student qualifies for that element under regulation 86;
- (b) to reduce the basic amount of the part-time childcare grant for the academic year where the eligible part-time student qualifies for that element under regulation 87; and
- (c) to reduce the basic amount of the part-time parents' learning allowance where the eligible part-time student qualifies for that element under regulation 88.

(2) Subject to paragraphs (4), (5) and (13), where **B** is greater than or equal to **A**, the basic amount of each element of the part-time grants for dependants for which the eligible part-time student qualifies is payable.

(3) Where  $(A - B)$  is equal to or exceeds the aggregate of the basic amounts of the elements of the part-time grants for dependants for which the eligible part-time student qualifies, the amount payable in respect of each element is nil.

(4) The amount of the part-time adult dependants' grant calculated under paragraph (1) in respect of an adult dependant is reduced by one half where—

- (a) the eligible part-time student's partner—
  - (i) is an eligible part-time student; or
  - (ii) holds a statutory award; and
- (b) account is taken of that partner's dependants in calculating the amount of support for which that partner qualifies or the payment to which he or she is entitled under the statutory award.

(5) The amount of the part-time childcare grant calculated under paragraph (1) is reduced by one half where—

- (a) the eligible part-time student's partner—
  - (i) is an eligible part-time student; or
  - (ii) holds a statutory award; and

- (b) account is taken of that partner's dependants in calculating the amount of support for which that partner qualifies or the payment to which he or she is entitled under the statutory award.
- (6) Where the amount of the part-time parents' learning allowance calculated under paragraph (1) is £0.01 or more but less than £50, the amount of part-time parents' learning allowance payable is £50.
- (7) In this regulation—
- A** is the aggregate of the net income of each of the eligible part-time student's dependants; and
- B** is—
- (a) £1,159 where the eligible part-time student has no dependent child;
  - (b) £3,473 where the eligible part-time student is not a lone parent and has one dependent child;
  - (c) £4,632 where the eligible part-time student—
    - (i) is not a lone parent and has more than one dependent child; or
    - (ii) is a lone parent and has one dependent child;
  - (d) £5,797 where the eligible part-time student is a lone parent and has more than one dependent child.
- (8) Paragraphs (9) to (12) apply where, in the course of the academic year, any of the following occurs—
- (a) there is a change in the number of the eligible part-time student's dependants;
  - (b) a person becomes or ceases to be a dependant of the eligible part-time student;
  - (c) the eligible part-time student becomes or ceases to be a lone parent;
  - (d) a student becomes an eligible part-time student as a result of an event referred to in regulation 79(22)(a), (b), (e), (f), (g), (h) or (i).
- (9) For the purposes of determining the respective values of **A** and **B** and whether part-time adult dependants' grant or part-time parents' learning allowance is payable, the Welsh Ministers must determine the following in relation to each relevant quarter by reference to the student's circumstances in the relevant quarter—
- (a) how many dependants the eligible part-time student is to be treated as having;
  - (b) who those dependants are;
  - (c) whether the student is to be treated as a lone parent.
- (10) The amount of part-time grants for dependants for the academic year is the aggregate of the amounts of part-time adult dependants' grant and part-time parents' learning allowance calculated in respect of each relevant quarter under paragraph (11) and the amount of any part-time childcare grant for the academic year.
- (11) The amount of part-time adult dependants' grant and part-time parents' learning allowance in respect of a relevant quarter is one third of what that grant or allowance would be for the academic year if the student's circumstances in the relevant quarter as determined under paragraph (9) applied for the duration of the academic year.
- (12) In this regulation, a "relevant quarter" (*"chwarter perthnasol"*) means—
- (a) in the case of a person referred to in paragraph (8)(d), a quarter which begins after the relevant event occurs other than a quarter during which, in the opinion of the Welsh Ministers, the longest of any vacation occurs;
  - (b) otherwise, a quarter other than the one quarter during which, in the opinion of the Welsh Ministers, the longest of any vacation occurs.

(13) A deduction may be made in accordance with regulations 91 and 92 from the amount payable in respect of a particular element of the part-time grants for dependants calculated under this Part.