
WELSH STATUTORY INSTRUMENTS

2013 No. 3177

The Education (Student Support) (Wales) Regulations 2013

PART 4

GRANTS AND LOANS FOR FEES

CHAPTER 1

GENERAL PROVISION

Fee Support Generally

13.—(1) Fee support under this Part in respect of an academic year may not exceed the fees payable by the eligible student in respect of that academic year.

(2) For the purposes of calculating the amount of fee support under this Part, an institution that provides courses designated by regulation 4 of the Education (Student Support) (Dance and Drama) Regulations 1999⁽¹⁾ is not to be regarded as publicly funded by reason only that it receives public funds from the governing body of a higher education institution in accordance with section 65(3A) of the Further and Higher Education Act 1992⁽²⁾.

(3) An eligible student to whom paragraph (4) applies is treated as if the eligible student were in attendance on the designated course for the purpose of qualifying for fee support.

(4) This paragraph applies to—

(a) a compressed degree student;

(b) a disabled eligible student who—

(i) is not a compressed degree student; and

(ii) is undertaking a designated course in the United Kingdom but is not in attendance because the eligible student is unable to attend for a reason which relates to the eligible student's disability.

(5) An eligible student who is undertaking a distance learning course does not qualify for any fee support under this Part in respect of that course unless the Welsh Ministers consider that the student is undertaking the course in Wales on the first day of the first academic year.

(6) An eligible student who is undertaking a distance learning course will no longer qualify for any fee support under this Part in respect of that course if the Welsh Ministers consider that the student is undertaking the course outside the United Kingdom.

Students becoming eligible during the course of an academic year

14. Where any of the events listed in regulation 15 occurs in the course of an academic year—

(1) [S.I. 1999/2263](#), amended by [S.I. 2001/2893](#).

(2) [1992 c. 13](#); section 65(3A) was inserted by the Teaching and Higher Education Act [1998 \(c. 30\)](#), section 27.

- (a) a student may qualify for grants and loans under this Part in respect of that academic year provided that the relevant event occurred within the first three months of the academic year; and
- (b) such grants and loans are not available to the student in respect of any academic year beginning before the academic year in which the relevant event occurred.

Events

15. The events are—

- (a) the student's course becomes a designated course;
- (b) the student or the student's spouse, civil partner or parent (as defined in Part 1 of Schedule 1) is recognised as a refugee or becomes a person with leave to enter or remain;
- (c) a state accedes to the European Union where the student is a national of that state or a family member (as defined in Part 1 of Schedule 1) of a national of that state;
- (d) the student becomes a family member (as defined in Part 1 of Schedule 1) of an EU national;
- (e) the student acquires the right of permanent residence;
- (f) the student becomes the child of a Turkish worker;
- (g) the student becomes a person described in paragraph 6(1)(a) of Schedule 1; or
- (h) the student becomes the child of a Swiss national.