
WELSH STATUTORY INSTRUMENTS

2018 No. 191 (W. 42)

EDUCATION, WALES

The Education (Student Support) (Wales) Regulations 2018

Made - - - - 14 February 2018
Laid before the National
Assembly for Wales 16 February 2018
Coming into force 12 March 2018

**THE EDUCATION (STUDENT SUPPORT)
(WALES) REGULATIONS 2018**

PART 1

TITLE, COMMENCEMENT AND APPLICATION

1. Title and commencement
2. Application

PART 2

OVERVIEW

3. (1) The remaining Parts of these Regulations are arranged as...

PART 3

INTERPRETATION AND INDEX

4. Interpretation and index

PART 4

KEY CONCEPTS

CHAPTER 1

DESIGNATED COURSES

5. Designated courses
6. Designated courses – conditions
7. Designated courses – exceptions
8. Designation of other courses

Status: This is the original version (as it was originally made).

CHAPTER 2

ELIGIBILITY

SECTION 1

Eligible students

9. Eligible students
10. Eligible students - exceptions
11. Eligible students continuing on a course

SECTION 2

Period of eligibility

12. Period of eligibility – general rule
13. Part-time courses – no eligibility for years of low intensity study
14. Maximum period of eligibility – tuition fee loans and grants for new students
15. Maximum period of eligibility – tuition fee loans and specified grants for students who undertook a previous course
16. Maximum period of eligibility – tuition fee loans and grants for certain continuing students
17. Maximum period of eligibility – interpretation
18. Extension of maximum period where student receives incorrect notification

SECTION 3

Termination of eligibility

19. Early termination of eligibility
20. Misconduct and failure to provide accurate information
21. Reinstatement of eligibility after termination
22. Refugees who cease to have leave to remain
23. Other persons who cease to have leave to enter or remain

SECTION 4

Previous study

24. Full-time students – restrictions on support for honours graduates
25. Part-time students – restrictions on support for graduates
26. Restrictions lifted where incorrect notification received
27. Further restriction on support for part-time students

SECTION 5

Transfers and conversions

28. Transfer of status
29. Effect of transfer – tuition fee loans
30. Effect of transfer – grants and maintenance loans

31. Transfers involving conversions between part-time and full-time study

PART 5

APPLICATIONS, PROVIDING INFORMATION AND LOAN CONTRACTS

32. Requirement to apply for support
33. Time limit for making application
34. Welsh Ministers' decision on an application
35. Requirements on eligible students to provide information
36. Requirement to enter into a contract for a loan
37. Requirement on academic authority to notify when student leaves course

PART 6

TUITION FEE LOANS

38. Tuition fee loan
39. Qualifying conditions for tuition fee loan
40. Amount of tuition fee loan
41. Applying for a fee loan for less than the maximum amount
42. Further application for tuition fee loan up to maximum amount

PART 7

BASE GRANT AND MAINTENANCE GRANT

CHAPTER 1

QUALIFYING CONDITIONS

43. Base grant and maintenance grant
44. Qualifying conditions for base grant and maintenance grant

CHAPTER 2

BASE GRANT

45. Amount of base grant

CHAPTER 3

MAINTENANCE GRANT

46. Amount of maintenance grant: full-time students
47. Amount of maintenance grant: part-time students
48. Household income
49. Meaning of care leaver

CHAPTER 4

SPECIAL SUPPORT PAYMENT

50. Special support payment

Status: This is the original version (as it was originally made).

- 51. Special support payment: qualifying conditions
- 52. Maximum amount of maintenance grant treated as special support payment

PART 8

MAINTENANCE LOAN

- 53. Maintenance loan
- 54. Qualifying conditions for a maintenance loan
- 55. Amount of maintenance loan: full-time students
- 56. Amount of maintenance loan payable: full-time students to whom special support payment payable
- 57. Increased maintenance loan for full-time students in extended years
- 58. Amount of maintenance loan: part-time students
- 59. Applying for maintenance loan for less than the maximum amount
- 60. Further application for maintenance loan up to maximum amount

PART 9

DISABLED STUDENT'S GRANT

- 61. Disabled student's grant
- 62. Qualifying conditions for disabled student's grant
- 63. Amount of disabled student's grant

PART 10

GRANTS FOR TRAVEL

- 64. Grant for travel
- 65. Grant for travel for medical students
- 66. Grant for travel for study or work overseas
- 67. Grant for travel not payable for expenditure covered by disabled student's grant

PART 11

GRANTS FOR DEPENDANTS

CHAPTER 1

INTRODUCTION

- 68. Grants for dependants
- 69. Qualifying conditions for grants for dependants
- 70. Interpretation of this Part

CHAPTER 2

ADULT DEPENDANTS GRANT

- 71. Adult dependants grant
- 72. Maximum amount of adult dependants grant

CHAPTER 3

PARENTS' LEARNING GRANT

- 73. Parents' learning grant
- 74. Maximum amount of parents' learning grant

CHAPTER 4

CHILDCARE GRANT

- 75. Childcare grant
- 76. Maximum amount of childcare grant

CHAPTER 5

AMOUNT OF GRANT FOR DEPENDANTS PAYABLE

- 77. Grants for dependants: calculating the amount payable
- 78. Amount of adult dependants grant and childcare grant: eligible student's partner is an eligible student
- 79. Changes in circumstances

PART 12

QUALIFYING FOR SUPPORT DURING THE ACADEMIC YEAR

- 80. Qualifying for a tuition fee loan during the academic year
- 81. Qualifying for grants or maintenance loan during the academic year

PART 13

PAYMENTS, OVERPAYMENTS AND RECOVERY

CHAPTER 1

PAYMENT FOLLOWING A PROVISIONAL DECISION

- 82. Payment based on provisional assessment

CHAPTER 2

PAYMENT OF TUITION FEE LOAN

- 83. Payment of tuition fee loan
- 84. Requirements for payment of tuition fee loan

CHAPTER 3

PAYMENT OF GRANTS AND MAINTENANCE LOANS

- 85. Payment of grants and maintenance loans
- 86. Students living in more than one location
- 87. Confirmation of attendance
- 88. Determination of amount payable made after payment made

Status: This is the original version (as it was originally made).

CHAPTER 4

OVERPAYMENTS AND RECOVERY

- 89. Overpayments – general
- 90. Recovery of overpayments of grants
- 91. Recovery of overpayments of maintenance loans

PART 14

RESTRICTIONS ON PAYMENTS AND AMOUNTS PAYABLE

CHAPTER 1

RESTRICTIONS RELATING TO GRANTS AND MAINTENANCE LOANS

- 92. Requirement for payment to be made into bank or building society account
- 93. Support reduced for periods spent in prison
- 94. Support reduced for other periods of absence
- 95. Payments when period of eligibility ends or is terminated

CHAPTER 2

RESTRICTIONS RELATING TO LOANS

- 96. Requirement to provide national insurance number
- 97. Information requirements relating to loans

PART 15

DISABLED POSTGRADUATE STUDENT'S GRANT

- 98. Schedule 4 makes provision about disabled postgraduate student's grant.

PART 16

OXBRIDGE COLLEGE FEE LOANS

- 99. Schedule 5 makes provision about Oxbridge college fee loans.

PART 17

AMENDMENTS TO THE EDUCATION (STUDENT SUPPORT) (WALES) REGULATIONS 2017

- 100. Schedule 6 contains amendments to the 2017 Regulations.
Signature

SCHEDULES

- SCHEDULE 1 Interpretation
- 1. Meaning of academic year
- 2. Educational institutions

3. Location of an eligible student
4. Meaning of Erasmus year
5. Part-time students – calculation of intensity of study
6. Interpretation of other key terms
- SCHEDULE 2 Categories of eligible student
- 2
1. Category 1 – Persons settled in the United Kingdom
2. Category 2 – Refugees and their family members
3. Category 3 – Persons with leave to enter or remain and their family members
4. Category 4 – Workers, employed persons, self-employed persons and their family members
5. Category 5 – Persons who are settled in the United Kingdom and have exercised a right of residence elsewhere
6. Category 6 – EU nationals
7. Category 7 – Children of Swiss nationals
8. Category 8 – Children of Turkish workers
9. Ordinary residence – additional provision
10. Further provision on ordinary residence: care leavers
11. Interpretation
- SCHEDULE 3 Calculation of income
- 3
- PART 1 — Introduction
1. Overview of Schedule
- PART 2 — Household income
2. Household income of eligible student
3. Calculation of household income
4. Independent eligible students
5. Eligible student’s parent dies leaving a surviving parent
6. Separation of eligible student’s parents
7. Separation of eligible student’s parent or independent eligible student from partner
8. Independent eligible student or partner is a parent of an eligible student
- PART 3 — Taxable income
9. Taxable income
- PART 4 — Residual income

CHAPTER 1

Residual income of an eligible student

10. Calculation of eligible student’s residual income
11. Deductions for the purpose of calculating residual income of an eligible student
12. Income of eligible student received in currency other than sterling

CHAPTER 2

Residual income of persons other than an eligible student

13. Persons to whom this chapter applies
14. Calculation of residual income of persons other than eligible student

Status: This is the original version (as it was originally made).

- 15. Deductions for the purpose of calculating residual income of persons other than eligible student
- 16. Applicable financial years: calculating residual income of persons other than eligible student
- 17. Income from business or profession
- 18. Treatment of income not treated as income for income tax purposes
- 19. P's income in currency other than sterling
- PART 5 — Net income of dependants
- 20. Net income of dependants
- 21. Net income
- 22. Applicable financial years: calculating net income of an eligible student's dependent children
- PART 6 — Interpretation
- 23. Interpretation
- SCHEDULE 4 Disabled postgraduate student's grant
 - 1. Disabled postgraduate student's grant
 - 2. Designated postgraduate courses
 - 3. Designation of other postgraduate courses
 - 4. Eligible postgraduate students
 - 5. (1) A person ("P") is not an eligible postgraduate student...
 - 6. Eligible postgraduate students continuing on a course
 - 7. Period of eligibility
 - 8. Part-time courses – no eligibility for years of low intensity study
 - 9. Early termination of eligibility
 - 10. Termination due to misconduct or failure to provide accurate information
 - 11. Reinstatement of eligibility after termination
 - 12. Refugees who cease to have leave to remain
 - 13. Other persons who cease to have leave to enter or remain
 - 14. Becoming eligible during an academic year
 - 15. Transferring between postgraduate courses
 - 16. Effect of transfer
 - 17. Applications and decisions
 - 18. (1) The Welsh Ministers may take such steps and make...
 - 19. Requirements on eligible postgraduate students to provide information
 - 20. Amount of disabled postgraduate student's grant
 - 21. Payment
 - 22. Overpayments
- SCHEDULE 5 Oxbridge college fee loans
 - 1. Oxbridge college fee loans
 - 2. Designated Oxbridge courses
 - 3. Eligible Oxbridge students
 - 4. Students becoming eligible during the course of an academic year
 - 5. Period of eligibility
 - 6. Amount of the college fee loan
 - 7. Transfers
 - 8. Payment
 - 9. Requirement to provide national insurance number
 - 10. Information requirements and agreements for repayment
 - 11. Overpayment

- SCHEDULE 6 Amendments to the Education (Student Support) (Wales) Regulations 2017
1. The Education (Student Support) (Wales) Regulations 2017 are amended as...
 2. In regulation 1 (title, commencement and application), after paragraph (2)...
 3. In regulation 2(1) (interpretation)— (a) in the definition of “2012...
 4. In regulation 3(16) (application)— (a) at the beginning insert “Subject...
 5. For paragraph (7) of regulation 4 (eligible students), substitute—
 6. In regulation 16 (new fee grant)— (a) in paragraph (3)—...
 7. In regulation 19 (new fee loan in respect of courses...
 8. In regulation 30 (grants for dependants – interpretation)—
 9. In regulation 43 (maximum amount loans for certain students)—
 10. In regulation 45 (students with reduced entitlement)—
 11. In regulation 50 (increases in maximum amount)—
 12. In regulation 56 (application of contribution)— (a) in paragraph (3) —...
 13. In regulation 92(3)(b) (part-time childcare grant), at the beginning insert...
 14. In regulation 95(1)(i) (part-time grants for dependants – interpretation), for...
 15. In Schedule 2, paragraph 3(a), for “Technician” substitute “Technology”.
- SCHEDULE 7 Index of defined terms
1. Table 16 lists expressions defined or otherwise explained in these... Explanatory Note