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WELSH STATUTORY INSTRUMENTS

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**2018 No. 191**

**The Education (Student Support) (Wales) Regulations 2018**

**PART 8**

**MAINTENANCE LOAN**

**Maintenance loan**

**53.** A maintenance loan is a loan made available by the Welsh Ministers to an eligible student in respect of living costs for an academic year.

**Qualifying conditions for a maintenance loan**

**54.** An eligible student qualifies for a maintenance loan in respect of an academic year of the present course unless one of the following exceptions applies—

*Exception 1*

The eligible student is a prisoner, unless—

- (a) the present course is a part-time course, and
- (b) the eligible student enters or is released from prison in the academic year in question.

*Exception 2*

The eligible student is a Category 6 eligible student by virtue only of paragraph 6(1) of Schedule 2 and does not fall within any of the other categories of eligible student specified in that Schedule.

*Exception 3*

The eligible student is aged 60 or over on the first day of the first academic year of the present course.

*Exception 4*

The present course is a distance learning course and the student is not in Wales on the first day of the first academic year of the course.

But this Exception does not apply where—

- (a) the student (“S”) or a close relative of S is a member of the armed forces,
- (b) S is not in Wales on the first day of the first academic year, and
- (c) S is not in Wales on that day because S or the close relative is serving as a member of the armed forces outside Wales.

*Exception 5*

The present course leads to qualification as—

- (a) a landscape architect,
- (b) a landscape designer,

- (c) a landscape manager,
- (d) a town planner, or
- (e) a town and country planner.

#### **Amount of maintenance loan: full-time students**

**55.**—(1) Where an eligible student's present course is a full-time course (a "full-time student"), the amount of maintenance loan payable to the student is calculated as follows—

Maximum amount of maintenance loan available to the student in respect of an academic year.

*Minus*

Amount of maintenance grant payable to the student under regulation 46.

(2) Table 7 sets out the maximum amounts of maintenance loan available in respect of a full-time student where—

- (a) Column 1 specifies the academic year in relation to which the amounts of maintenance loan specified in Column 4 apply;
- (b) Column 2 specifies the category of student to whom the maximum amounts in Column 4 apply;
- (c) Column 3 specifies the location in which the student is living (see paragraph 3 of Schedule 1);
- (d) Column 4 specifies the maximum amount of loan available in respect of the corresponding entries in Columns 1, 2 and 3.

(3) For the purposes of this regulation the categories of student are—

*Category 1*

An eligible student undertaking—

- (a) an academic year of a designated course, or
- (b) the first year of an accelerated graduate entry course,

who is not a Category 2 student.

*Category 2*

An eligible student undertaking—

- (a) an academic year in respect of which a student is eligible to apply for—
  - (i) a healthcare bursary, or
  - (ii) a Scottish healthcare allowance,
 calculated by reference to the student's income (whether or not the calculation results in a nil amount), or
- (b) an academic year of a sandwich course during which the periods of full-time study undertaken by the student are in aggregate less than 10 weeks (unless it is a year to which regulation 44(2) applies).

(4) This regulation is subject to regulation 56.

**Table 7**

<i>Column 1</i> <i>Academic year</i>	<i>Column 2</i> <i>Category of student</i>	<i>Column 3</i> <i>Location of student</i>	<i>Column 4</i> <i>Maximum amount of maintenance loan available to full-time student</i>
Beginning on or after 1 September 2018	Category 1	Living at home	£6,650
		Living away from home, studying in London	£10,250
		Living away from home, studying elsewhere	£8,000
	Category 2	Living at home	£3,325
		Living away from home, studying in London	£5,125
		Living away from home, studying elsewhere	£4,000

**Amount of maintenance loan payable: full-time students to whom special support payment payable**

**56.**—(1) Where a special support payment is payable to a full-time student under regulation 50, the amount of maintenance loan payable to the student is the greater of—

- (a) the amount calculated under regulation 55(1), or
- (b) the minimum amount of maintenance loan payable in respect of the student's location.

(2) In Table 8—

- (a) Column 1 specifies the academic year in relation to which the minimum loan amounts in Column 3 are payable;
- (b) Column 2 specifies the location in which the student is living (see paragraph 3 of Schedule 1);
- (c) Column 3 specifies the minimum loan amount payable in respect of the corresponding entries in Columns 1 and 2.

**Table 8**

<i>Column 1</i> <i>Academic year</i>	<i>Column 2</i> <i>Location of student</i>	<i>Column 3</i> <i>Minimum amount of maintenance loan payable to full-time student where special support payable</i>
Beginning on or after 1 September 2018	Living at home	£3,325
	Living away from home, studying in London	£5,125

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Academic year</i>	<i>Location of student</i>	<i>Minimum amount of maintenance loan payable to full-time student where special support payable</i>
	Living away from home, studying elsewhere	£4,000

### Increased maintenance loan for full-time students in extended years

57.—(1) Paragraph (2) applies where—

- (a) the present course is a full-time course, and
- (b) an eligible student is required to undertake the course for a period exceeding 30 weeks and 3 days in an academic year.

(2) Where this paragraph applies, the amount of loan payable to the student calculated under regulation 55 or, as the case may be, 56 is increased by the weekly amount specified in Column 3 of Table 9 for each week (or part of a week) that the student is required to undertake the course beyond the period of 30 weeks and 3 days.

(3) Paragraph (4) applies where—

- (a) the present course is a full-time course, and
- (b) an eligible student undertakes the course for a period of 45 weeks or more in any continuous period of 52 weeks.

(4) Where this paragraph applies, the amount of loan payable to the student calculated under regulation 55 or, as the case may be, 56 is increased by the weekly amount specified in Column 3 of Table 9 for each whole week in the 52 week period during which the student did not undertake the course.

(5) The increase in the amount of maintenance loan payable referred to in paragraph (4) applies in relation to the academic year into which the most weeks of the 52 week period fall.

(6) The maximum amount of maintenance loan payable to an eligible student may be increased under both paragraphs (2) and (4) in relation to the same academic year.

(7) In Table 9—

- (a) Column 1 specifies the academic year in relation to which the maintenance loan is payable;
- (b) Column 2 specifies the location in which the student is living (see paragraph 3 of Schedule 1);
- (c) Column 3 specifies the weekly amount by which the amount of loan payable is to increase in respect of the corresponding entries in Columns 1 and 2.

**Table 9**

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Academic Year</i>	<i>Location of student</i>	<i>Weekly amount of increase to maintenance loan payable</i>
Beginning on or after 1 September 2018	Living at home	£80
	Living away from home, studying in London	£153

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>Academic Year</i>	<i>Location of student</i>	<i>Weekly amount of increase to maintenance loan payable</i>
	Living away from home, studying elsewhere	£120

**Amount of maintenance loan: part-time students**

**58.**—(1) Where an eligible student’s present course is a part-time course (a “part-time student”), the amount of maintenance loan payable to the student is calculated as follows—

Maximum amount of maintenance loan available to the student (see Table 10).

*Minus*

Amount of maintenance grant payable to the student under regulation 47.

(2) In Table 10, Column 1 specifies the academic year in relation to which the maximum amount of maintenance loan in Column 2 is available.

**Table 10**

<i>Column 1</i>	<i>Column 2</i>
<i>Academic year</i>	<i>Maximum amount of maintenance loan available to part-time student</i>
Beginning on or after 1 September 2018	£5,650 multiplied by the intensity of study

**Applying for maintenance loan for less than the maximum amount**

**59.** An eligible student may apply under regulation 32 to borrow part of the amount of maintenance loan payable to the eligible student in respect of an academic year.

**Further application for maintenance loan up to maximum amount**

**60.** Where—

- (a) an eligible student applies for part of the maintenance loan under regulation 59, or
- (b) an additional amount of maintenance loan is made available to an eligible student following a transfer and reassessment made under Section 5 of Chapter 2 of Part 4,

the student may make a further application under regulation 32 for the remaining balance of the maintenance loan payable in respect of that academic year.