
WELSH STATUTORY INSTRUMENTS

2021 No. 481

The Education (Student Finance) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021

PART 2

AMENDMENTS TO THE EDUCATION (FEES AND AWARDS) (WALES) REGULATIONS 2007

Amendments to the Education (Fees and Awards) (Wales) Regulations 2007

8. For regulation 7 (payments by HEFCW) substitute—

“7.—(1) Paragraph (2) applies where HEFCW makes grants, loans or other payments under section 65 of the Further and Higher Education Act 1992⁽¹⁾ to an institution for the purpose of training students (other than by a course leading to a first degree) to teach persons over compulsory school age.

(2) Subject to paragraph (5), it is lawful for HEFCW to adopt rules of eligibility for awards to be made to the students which confine eligibility to those persons who fall within any of—

- (a) paragraphs 2, 2A, 3, 4, 4A, 4B, 5, 6A, 7A, 8A, 9A, 9B, 9C, 9D, 9E, 10A, 11A or 12A of the Schedule, or
- (b) paragraphs 6, 7, 8, 9, 10, 11 or 12 of the Schedule where paragraph (4) applies.

(3) Subject to paragraph (5), it is lawful for an institution to which HEFCW pays grants, loans or other payments for the purpose described in paragraph (1) to adopt rules of eligibility for awards which confine eligibility to those persons who fall within any of—

- (a) paragraphs 2, 2A, 3, 4, 4A, 4B, 5, 6A, 7A, 8A, 9A, 9B, 9C, 9D, 9E, 10A, 11A or 12A of the Schedule; or
- (b) paragraphs 6, 7, 8, 9, 10, 11 or 12 of the Schedule where paragraph (4) applies.

(4) This paragraph applies—

- (a) where, in connection with training beginning before 1 August 2021, a person (“A”) was eligible for an award by virtue of falling within any of paragraphs 6, 7, 8, 9, 10, 11 or 12 of the Schedule in relation to an academic year beginning before 1 August 2021, and
- (b) where A’s eligibility for an award is being assessed in relation to that training.

(5) In relation to training beginning on or after 1 January 2028, paragraphs (2) and (3) have effect as if paragraphs 8A and 9B are omitted from paragraphs (2)(a) and (3)(a).

⁽¹⁾ 1992 c. 13, amended by section 27 of the Teaching and Higher Education Act 1998 (c. 30); the Local Education Authorities and Children’s Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158); section 34(1) of the Special Educational Needs and Disability Act 2001 (c. 10); and Schedule 11 to the Higher Education and Research Act 2017 (c. 29).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(6) In paragraph (1), “compulsory school age” has the meaning given in section 8 of the Education Act 1996(2).”

(2) 1996 c. 56, amended by the Education Act 1997 (c. 44), section 52.