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STATUTORY INSTRUMENTS

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**1996 No. 2890**

**The Housing Renewal Grants Regulations 1996**

**PART II**

**MEANS TEST FOR OWNER-OCCUPIER'S AND TENANT'S APPLICATIONS**

*CHAPTER X: STUDENTS*

**Interpretation**

**41.** In this part, unless the context otherwise requires—

“college of further education” means a college of further education within the meaning of Part I of the Further and Higher Education (Scotland) Act 1992<sup>(1)</sup>;

“contribution” means any contribution (including one which is not paid) in respect of the income of any other person which the Secretary of State or an education authority takes into account in ascertaining the amount of the student's grant; or any sums, which in determining the amount of a student's allowance or bursary in Scotland under the Further and Higher Education (Scotland) Act 1992, the Secretary of State or the education authority takes into account being sums which the Secretary of State or the education authority consider that the holder of the allowance or bursary, the holder's parents and the holder's spouse can reasonably be expected to contribute towards the holder's expenses;

“course of study” means any course of study, whether or not it is a sandwich course and whether or not a grant is made for undertaking or attending it and for the purposes of this definition a person who has started a course of study shall be treated as attending or undertaking it, as the case may be, until the last day of the course or such earlier date as he abandons it or is dismissed from it;

“education authority” means a government department, a local education authority as defined in section 114(1) of the Education Act 1944<sup>(2)</sup> (interpretation), a local education authority as defined in section 123 of the Local Government (Scotland) Act 1973<sup>(3)</sup>, an education and library board established under Article 3 of the Education and Libraries (Northern Ireland) Order 1986<sup>(4)</sup>, any body which is a research council for the purposes of the Science and Technology Act 1965<sup>(5)</sup> or any analogous government department, authority, board or body of the Channel Islands, Isle of Man or any other country outside Great Britain;

“the FEFC” means the Further Education Funding Council for England or the Further Education Funding Council for Wales;

“full-time student” means a person attending or undertaking a full-time course of study and includes a student on a sandwich course;

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(1) 1992 c. 37.

(2) 1944 c. 31, as amended by S.I. 1974/595 article 3(22) Schedule 1 Part 1 and by S.I. 1977/293, article 4(1).

(3) 1973 c. 65.

(4) S.I. 1986/594 (N.I. 3).

(5) 1965 c. 4.

“full-time course of study” means a full-time course of study which—

- (a) is not funded in whole or in part by the FEFC or a full-time course of study (not being higher education) which is not funded in whole or in part by the Secretary of State for Scotland at a college of further education;
- (b) is funded in whole or in part by the FEFC and involves more than 16 guided learning hours per week for the student in question, according to the number of guided learning hours per week for that student set out in the case of a course funded by the FEFC for England, in his learning agreement signed on behalf of the establishment which is funded by the FEFC for the delivery of that course or, in the case of a course funded by the FEFC for Wales, in a document signed on behalf of the establishment which is funded by the FEFC for the delivery of that course; or
- (c) is not higher education and is funded in whole or in part by the Secretary of State for Scotland at a college of further education and involves—
  - (i) more than 16 hours per week of classroom-based or workshop-based programmed learning under the direct guidance of teaching staff according to the number of hours set out in a document signed on behalf of the college; or
  - (ii) 16 hours or less per week of classroom-based or workshop-based programmed learning under the direct guidance of teaching staff and it involves additional hours using structured learning packages supported by the teaching staff where the combined total of hours exceeds 21 hours per week, according to the number of hours set out in a document signed on behalf of the college;

“grant” means any kind of educational grant or award and includes any scholarship, studentship, exhibition, allowance or bursary but does not include a payment derived from funds made available by the Secretary of State for the purpose of assisting students in financial difficulties under section 100 of the Education Act 1944(6), section 65 of the Further and Higher Education Act 1992(7), section 73 of the Education (Scotland) Act 1980(8) or section 40 of the Further and Higher Education (Scotland) Act 1992(9);

“grant income” means—

- (a) any income by way of a grant;
- (b) any contribution whether or not it is paid;

“higher education” means higher education within the meaning of Part II of the Further and Higher Education (Scotland) Act 1992;

“last day of the course” means the date on which the last day of the final academic term falls in respect of the course in which the student is enrolled;

“sandwich course” has the meaning prescribed in paragraph 1(1) of Schedule 5 to the Education (Mandatory Awards) Regulations 1995(10);

“student” means a person, other than a person in receipt of a training allowance, who is attending a course of study at an educational establishment; and a person who has started on such a course shall be treated as attending it, until the last day of the course or such earlier date as he abandons it or is dismissed from it;

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(6) 1944 c. 31; section 100 was amended by the Local Government Act 1958 (c. 55), section 67(a) and Schedule 9; the Education Act 1962 (c. 12), section 13(1) and Schedule 2; S.I. 1964/490, article 3(2)(a); the Education Act 1973 (c. 16), section 1(4) and Schedule 2; the Education Act 1980 (c. 20), section 38(6) and Schedule 7; S.I. 1980/660; and the Education Reform Act 1988 (c. 40), section 213(3).

(7) 1992 c. 13; subsections (4A) and (4B) are inserted into section 65 by the Disability Discrimination Act 1995 (c. 50), section 30(1) and (6).

(8) 1980 c. 44.

(9) 1992 c. 37.

(10) S.I. 1995/3321, amended by S.I. 1996/2088.

“year” in relation to a course means the period of 12 months beginning on 1st January, 1st April or 1st September according to whether the academic year of the course in question begins in the spring, the summer or the autumn respectively.