
WELSH STATUTORY INSTRUMENTS

2018 No. 191

The Education (Student Support) (Wales) Regulations 2018

PART 11

GRANTS FOR DEPENDANTS

CHAPTER 4

CHILDCARE GRANT

Childcare grant

75.—(1) An eligible student qualifies for a childcare grant in respect of prescribed childcare charges for a dependent child incurred during the current academic year if one of the following conditions are satisfied— *Condition 1* The dependent child is under the age of 15 immediately before the beginning of the academic year. *Condition 2* The dependent child has special educational needs within the meaning of section 312 of the Education Act 1996 ^{M1} and is under the age of 17 immediately before the beginning of the first day of the academic year.

(2) But the eligible student does not qualify for a childcare grant in any of the following cases — *Case 1* The eligible student or the eligible student's partner has elected to receive the childcare element of the working tax credit under Part 1 of the Tax Credits Act 2002 ^{M2}. *Case 2* The eligible student or the eligible student's partner is entitled to an award of universal credit which includes an amount in respect of childcare costs under regulation 31 of the Universal Credit Regulations 2013 (child care costs element) ^{M3}. *Case 3* The eligible student's partner has elected to receive financial support for childcare under a healthcare bursary. *Case 4* The prescribed childcare charges are for a period in respect of which the eligible student or the eligible student's partner has made a valid declaration of eligibility within the meaning given by section 4 of the Childcare Payments Act 2014 ^{M4}. *Case 5* The prescribed childcare charges are paid or to be paid by the eligible student to the student's partner. *Case 6* The prescribed childcare charges are in respect of any period between the end of the course and the end of the academic year in which the course ends.

(3) In this regulation and regulation 76—

“dependent child” (“*plentyn dibynnol*”) includes a dependent child born after the beginning of the academic year;

“prescribed childcare charges” (“*ffioedd gofal plant rhagnodedig*”) means childcare charges of a description prescribed for the purposes of section 12 of the Tax Credits Act 2002 ^{M5}.

Marginal Citations

M1 1996 c. 56; section 312 was amended by the Education Act 1997 (c. 44), **Schedule 7**, paragraph 23 and Schedule 8, the Schools Standards and Framework Act 1998 (c. 31), section 140, **Schedule 30**, paragraph 71 and Schedule 31, the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), **section 59** and Schedule 2, the Children and Families Act 2014 (c. 6), **Schedule 3** and S.I. 2010/1158.

M2 2002 c. 21

Status: Point in time view as at 12/03/2018.

Changes to legislation: There are currently no known outstanding effects for the The Education (Student Support) (Wales) Regulations 2018, Section 75. (See end of Document for details)

- M3** [S.I. 2013/376](#)
- M4** [2014 c. 28.](#)
- M5** [Regulation 14 of the Working Tax Credit \(Entitlement and Maximum Rate\) Regulations 2002 \(S.I. 2002/2005\)](#) as amended prescribes the childcare charges.

Status:

Point in time view as at 12/03/2018.

Changes to legislation:

There are currently no known outstanding effects for the The Education (Student Support) (Wales) Regulations 2018, Section 75.