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## STATUTORY INSTRUMENTS

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# 2006 No. 119

## The Education (Student Support) Regulations 2006

PROSPECTIVE

### PART 4

#### FEE SUPPORT

#### CHAPTER 3

#### GRANTS FOR FEES FOR OLD SYSTEM STUDENTS

##### **Continuing students**

**21.**—(1) This regulation applies where an old system student (a “continuing student”) began a designated course before 1st September 2006 and is continuing on that course after 31st August 2006.

(2) A continuing student does not qualify for a grant for fees in respect of any academic year of the course that begins on or after 1st September 2006 where in the course of assessing an application for support in respect of an academic year of the designated course that began before 1st September 2006 the Secretary of State determined in accordance with regulations made by her under section 22 of the 1998 Act that the student did not qualify for fee support in respect of the designated course.

(3) A continuing student does not qualify for a grant for fees in respect of a designated course if the designated course is a flexible postgraduate course for the initial training of teachers.

(4) A continuing student does not qualify for a grant for fees in respect of an academic year of a designated course that is a bursary year or an Erasmus year.

(5) When assessing an application for support in respect of an academic year of the designated course that begins after 31st August 2006, the Secretary of State must determine the “standard entitlement”.

(6) The standard entitlement is calculated as follows—

$$(SAY - X) + 1$$

where

*SAY* is the number of standard academic years of the designated course that begin after 31st August 2006

*X* is the number of academic years of the designated course that begin after 31st August 2006 in respect of which the Secretary of State determined in accordance with regulations made by her under section 22 of the 1998 Act that the student did not qualify for a grant for fees in the course of assessing an application for support in respect of an academic year of the designated course that began before 1st September 2006.

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(7) When assessing an application for support in respect of an academic year of the designated course that begins after 31st August 2006, the Secretary of State must allocate a grant for fees from the standard entitlement first to the final standard academic year of the course and then to each preceding standard academic year in turn until the standard entitlement is exhausted or a grant for fees has been allocated to each standard academic year of the course.

(8) A continuing student qualifies for a grant for fees in respect of a standard academic year of the designated course if the Secretary of State allocates a grant for fees to that year when assessing the application for support for that year.

(9) The amount of the grant for fees in respect of an academic year is determined in accordance with regulation 27, 28 or 29 and may be nil.

#### Commencement Information

**II** Reg. 21 in force at 1.3.2006, see [reg. 1\(1\)](#)

#### Transferring students

**22.—(1)** Subject to paragraph (2), this regulation applies where an old system student (a “transferring student”) begins a designated course on or after 1st September 2006 having had his status as an eligible student transferred to the course as a result of one or more transfers of that status by the Secretary of State pursuant to regulations made by her under section 22 of the 1998 Act from a designated course that he began before 1st September 2006.

(2) This regulation does not apply where an eligible student has transferred from a course in relation to which he was a gap year student to another designated course in accordance with regulations made by the Secretary of State under section 22 of the 1998 Act.

(3) Where in the course of assessing an application for support in respect of an academic year of the relevant course, the Secretary of State determined in accordance with regulations made by her under section 22 of the 1998 Act that the student did not qualify for fee support in respect of that course, a transferring student does not qualify for a grant for fees in respect of any academic year of the current course.

(4) In this regulation, the “relevant course” is the designated course that the student was taking as at 31st August 2006.

(5) A transferring student does not qualify for a grant for fees in respect of a designated course if the designated course is a flexible postgraduate course for the initial training of teachers.

(6) A transferring student does not qualify for a grant for fees in respect of an academic year of a designated course that is a bursary year or an Erasmus year.

(7) When assessing an application for support in respect of an academic year of a designated course, the Secretary of State must determine the “standard entitlement”.

(8) The standard entitlement is calculated as follows where the course begins before 1st September 2007 and is not a course listed in paragraph (11)—

$$(RAY - X) + 1$$

where

*RAY* is the number of standard academic years of the relevant course that remain after 31st August 2006

*X* is the number of academic years of the relevant course that remain after 31st August 2006 in respect of which the Secretary of State determined in accordance with regulations made by her under section 22 of the 1998 Act that the student did not qualify for a grant for fees

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in the course of assessing an application for support in respect of an academic year of the relevant course where that year began before 1st September 2006.

(9) The standard entitlement is calculated as follows where the course begins on or after 1st September 2007 and is not a course listed in paragraph (11)—

$$(RAY - X - SS) + 1$$

where

*RAY* is the number of standard academic years of the relevant course that remain after 31st August 2006

*X* is the number of academic years of the relevant course that remain after 31st August 2006 in respect of which the Secretary of State determined in accordance with regulations made by her under section 22 of the 1998 Act that the student did not qualify for a grant for fees in the course of assessing an application for support in respect of an academic year of the relevant course where that year began before 1st September 2006

*SS* is the number of academic years of study that the student has taken from and including 1st September 2006 in respect of which he qualified for fee support (excluding any years of repeat study for compelling personal reasons) or which were bursary years or Erasmus years.

(10) The standard entitlement is calculated as follows where the course is one listed in paragraph (11)—

$$OD + 1$$

where

*OD* is the number of academic years that make up the ordinary duration of the designated course.

(11) The courses are—

- (a) a course for the degree of Bachelor of Education where the student has transferred to that course from a course for the Certificate in Education on or before the completion of the latter course;
- (b) a course for the honours degree of Bachelor of Education where the student has transferred to that course from a course for the degree (other than an honours degree) of Bachelor of Education on or before the completion of the latter course.

(12) When assessing an application for support in respect of an academic year of a designated course, the Secretary of State must allocate a grant for fees from the standard entitlement first to the final standard academic year of the course and then to each preceding standard academic year in turn until the standard entitlement is exhausted or a grant for fees has been allocated to each standard academic year of the course.

(13) A transferring student qualifies for a grant for fees in respect of a standard academic year of the designated course if the Secretary of State allocates a grant for fees to that year when assessing the application for support for that year.

(14) The amount of the grant for fees in respect of an academic year is determined in accordance with regulation 27, 28 or 29 and may be nil.

#### Commencement Information

**I2** Reg. 22 in force at 1.3.2006, see [reg. 1\(1\)](#)

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### End-on courses

23.—(1) An old system student who is on an end-on course of the kind described in paragraph (a) of the definition of “end-on course” in regulation 2 that he began before 1st September 2006 qualifies for a grant for fees in respect of that course in accordance with regulation 21.

(2) An old system student who is on an end-on course of the kind described in paragraph (c) of the definition of “end-on course” in regulation 2 qualifies for a grant for fees in respect of that course in accordance with regulation 21.

(3) Paragraphs (4) to (10) apply to—

(a) an old system student in respect of an end-on course of the kind described in paragraph (a) of the definition of “end-on course” in regulation 2 that he begins on or after 1st September 2006;

(b) an old system student in respect of an end-on course of the kind described in paragraph (b) of the definition of “end-on course” in regulation 2.

(4) An old system student to whom this paragraph applies does not qualify for fee support in respect of a course to which this paragraph applies if—

(a) he has an honours degree from an institution in the United Kingdom and the exemption in regulation 34(1) or 34(2) does not apply; or

(b) the designated course is a flexible postgraduate course for the initial training of teachers.

(5) An old system student to whom this paragraph applies does not qualify for a grant for fees in respect of an academic year of a course to which this paragraph applies that is a bursary year or an Erasmus year.

(6) When assessing an application for support in respect of an academic year of a course to which this paragraph applies, the Secretary of State must determine the “standard entitlement”.

(7) The standard entitlement is calculated as follows—

$$(D - X) PrC$$

where

$D$  is the greater of 3 and the number of academic years that make up the ordinary duration of the course

$X$  is 1 where the ordinary duration of the preliminary course was less than three years and 2 where the ordinary duration of the preliminary course was three years

$PrC$  is the number of academic years that the student spent on the preliminary course excluding any years of repeat study for compelling personal reasons.

(8) When assessing an application for support in respect of an academic year of a course to which this paragraph applies, the Secretary of State must allocate a grant for fees from the standard entitlement first to the final standard academic year of the course and then to each preceding standard academic year in turn until the standard entitlement is exhausted or a grant for fees has been allocated to each standard academic year of the course.

(9) An old system student to whom this paragraph applies qualifies for a grant for fees in respect of a standard academic year of a course to which this paragraph applies if the Secretary of State allocates a grant for fees to that year when assessing the application for support for that year.

(10) The amount of the grant for fees in respect of an academic year of a course to which this paragraph applies is determined in accordance with regulation 27, 28 or 29 and may be nil.

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### Commencement Information

**I3** Reg. 23 in force at 1.3.2006, see [reg. 1\(1\)](#)

#### Gap year students who have not studied on a previous course

**24.**—(1) This regulation applies to an old system student who is a gap year student who has not studied on a previous course.

(2) A gap year student does not qualify for fee support in respect of a designated course if—

(a) he has an honours degree from an institution in the United Kingdom and the exemption in regulation 34(1) or 34(2) does not apply; or

(b) the designated course is a flexible postgraduate course for the initial training of teachers.

(3) A gap year student does not qualify for a grant for fees in respect of an academic year of a designated course that is a bursary year or an Erasmus year.

(4) When assessing an application for support in respect of an academic year of a designated course, the Secretary of State must determine the “standard entitlement”.

(5) The standard entitlement is calculated as follows—

$OD \div 1$

where

*OD* is the number of academic years that make up the ordinary duration of the course.

(6) When assessing an application for support in respect of an academic year of a designated course, the Secretary of State must allocate a grant for fees from the standard entitlement first to the final standard academic year of the course and then to each preceding standard academic year in turn until the standard entitlement is exhausted or a grant for fees has been allocated to each standard academic year of the course.

(7) A gap year student qualifies for a grant for fees in respect of a standard academic year of the designated course if the Secretary of State allocates a grant for fees to that year when assessing the application for support for that year.

(8) The amount of the grant for fees in respect of an academic year is determined in accordance with regulation 27 or 28 and may be nil.

### Commencement Information

**I4** Reg. 24 in force at 1.3.2006, see [reg. 1\(1\)](#)

#### Gap year students who have studied on a previous course

**25.**—(1) This regulation applies where—

(a) an old system student is a gap year student who has studied on a previous course;

(b) an old system student has transferred from a course in relation to which he was a gap year student to another designated course in accordance with regulations made by the Secretary of State under section 22 of the 1998 Act.

(2) An old system student to whom this regulation applies does not qualify for fee support in respect of a designated course if—

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- (a) he has an honours degree from an institution in the United Kingdom and the exemption in regulation 34(1) or 34(2) does not apply; or
  - (b) the designated course is a flexible postgraduate course for the initial training of teachers.
- (3) An old system student to whom this regulation applies does not qualify for a grant for fees in respect of an academic year of a designated course that is a bursary year or an Erasmus year.
- (4) When assessing an application for support in respect of an academic year of a designated course, the Secretary of State must determine the “standard entitlement”.
- (5) The standard entitlement is calculated as follows—

$$(OD + 1) - PC$$

where

*OD* is the number of academic years that make up the ordinary duration of the course

*PC* is the number of academic years that the student has spent on previous courses.

(6) When assessing an application for support in connection with an academic year of a designated course, the Secretary of State must allocate a grant for fees from the standard entitlement first to the final standard academic year of the course and then to each preceding standard academic year in turn until the standard entitlement is exhausted or a grant for fees has been allocated to each standard academic year of the course.

(7) An old system student to whom this regulation applies qualifies for a grant for fees in respect of a standard academic year of the designated course if the Secretary of State allocates a grant for fees to that year when assessing the application for support for that year.

(8) In addition to the standard entitlement, an old system student to whom this regulation applies qualifies for a grant for fees in respect of the first academic year that he takes of the designated course that is not a bursary year or an Erasmus year if he failed to complete the most recent previous course because of compelling personal reasons.

(9) Where an old system student to whom this regulation applies qualifies for a grant for fees under paragraph (8), the Secretary of State must not allocate a grant for fees under paragraph (6) to the first academic year that the student takes of the designated course that is not a bursary year or an Erasmus year.

(10) The amount of the grant for fees in respect of an academic year is determined in accordance with regulation 27 or 28 where the eligible student falls within paragraph (1)(a) and in accordance with regulation 27, 28 or 29 where the eligible student falls within paragraph (1)(b) and in either case the amount may be nil.

#### Commencement Information

**I5** Reg. 25 in force at 1.3.2006, see [reg. 1\(1\)](#)

#### Availability of the grant for fees to old system students for years of repeat study

**26.—(1)** In addition to the standard entitlement, if the Secretary of State determines that the student is repeating an academic year of the designated course because of compelling personal reasons, an old system student qualifies for a grant for fees in respect of the year of repeat study provided that the academic year that the student is repeating was a qualifying year of study and the year of repeat study is not a bursary year.

(2) An old system student qualifies for a grant for fees in respect of an academic year of a designated course that is a year of repeat study which the student is taking other than for compelling personal reasons if—

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- (a) the academic year which he is repeating was a qualifying year of study;
- (b) the academic year of repeat study is not a bursary year; and
- (c) when the academic year of repeat study is added to the number of any other academic years of repeat study that the student has already taken on the current course other than for compelling personal reasons, it does not exceed the number of additional years of support.

(3) In this regulation, the “number of additional years of support” is the number of years which make up the standard entitlement less the number of standard academic years (plus one where the student qualifies for a grant for fees under regulation 25(8)).

#### Commencement Information

**I6** Reg. 26 in force at 1.3.2006, see [reg. 1\(1\)](#)

#### Amount of the grant for fees for a course at a publicly-funded institution

**27.**—(1) Unless one of the cases set out in regulation 20(3) applies, the basic amount of the grant for fees in respect of an academic year of a designated course at a publicly-funded institution is the lesser of—

- (a) £1,200; and
- (b) the fees payable by the student in connection with that year.

(2) In the cases set out in regulation 20(3), the basic amount of the grant for fees in respect of an academic year is the lesser of—

- (a) £600; and
- (b) the fees payable by the student in connection with that year.

(3) Where a contribution exceeding nil is calculated under Schedule 4, a deduction will be made from the basic amount of the grant for fees determined under paragraph (1) or (2) in accordance with regulation 75.

(4) Paragraphs (1) to (3) do not apply to designated courses at Heythrop College.

(5) In the case of a designated course at Heythrop College, the amount of the grant for fees in respect of an academic year is £2,145.

#### Commencement Information

**I7** Reg. 27 in force at 1.3.2006, see [reg. 1\(1\)](#)

#### Amount of the grant for fees for a course that is provided at a private institution on behalf of a publicly-funded institution

**28.**—(1) The basic amount of the grant for fees in respect of an academic year at a private institution is the lesser of £1,200 and the fees payable by the student in connection with that year if—

- (a) the designated course began on or after 1st September 2001;
- (b) the designated course is provided on behalf of a publicly-funded institution; and
- (c) none of the circumstances in regulation 20(3) applies.

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(2) The amount of the grant for fees in respect of an academic year at a private institution is the lesser of £600 and the fees payable by the student in connection with that year if—

- (a) the designated course began on or after 1st September 2001;
- (b) the designated course is provided on behalf of a publicly-funded institution; and
- (c) one or more of the circumstances in regulation 20(3) applies.

(3) Where a contribution exceeding nil is calculated under Schedule 4, a deduction will be made from the basic amount of the grant for fees determined under paragraph (1) or (2) in accordance with regulation 75.

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**Commencement Information**

**18** Reg. 28 in force at 1.3.2006, see [reg. 1\(1\)](#)

**Amount of the grant for fees for a course at a private institution**

**29.**—(1) Subject to paragraphs (2) and (3), the amount of the grant for fees in respect of an academic year of a designated course at a private institution is the lesser of—

- (a) £1,125; and
- (b) the fees payable by the student in connection with that year.

(2) In the case of a designated course at the University of Buckingham, the amount of the grant for fees in respect of an academic year is £2,840.

(3) In the case of a designated course at the Guildhall School of Music, the amount of the grant for fees in respect of an academic year is £4,355.

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**Commencement Information**

**19** Reg. 29 in force at 1.3.2006, see [reg. 1\(1\)](#)



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**Changes and effects yet to be applied to :**

- Regulations revoked (with savings) by [S.I. 2007/176 reg. 4\(1\)](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Pt. 6A inserted by [S.I. 2006/955 reg. 36](#)
- sch 3A am by [S.I. 2007/1336 reg 21](#)
- Sch. 3A inserted by [S.I. 2006/955 Sch. 2](#)
- reg. 2(1A) inserted by [S.I. 2007/176 Sch. 1 para. 2](#)
- reg. 27(6) inserted by [S.I. 2006/1745 reg. 4\(2\)](#)
- reg. 37(9)(10) substituted for reg. 37(9) by [S.I. 2007/176 Sch. 1 para. 6](#)