

1968 No. 1296

EDUCATION, ENGLAND AND WALES
**The University and Other Awards (Amendment)
Regulations 1968**

<i>Made</i> - - -	12th August 1968
<i>Laid before Parliament</i>	22nd August 1968
<i>Coming into Operation</i>	1st September 1968

The Secretary of State for Education and Science, in exercise of the powers conferred upon him by sections 1 and 4 of the Education Act 1962(a) as amended by the Secretary of State for Education and Science Order 1964(b), hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the University and Other Awards (Amendment) Regulations 1968 and shall come into operation on 1st September 1968.

(2) The Interpretation Act 1889(c) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

Effect of regulations

2. These regulations shall have effect for the amendment of the University and Other Awards Regulations 1965(d) as amended by the University and Other Awards Amending Regulations 1966(e) and the University and Other Awards Amending Regulations 1967(f); and any reference to a regulation, paragraph or schedule not otherwise identified is a reference to that regulation, paragraph or schedule in those regulations as so amended.

Meaning of “termination of marriage”

3. For the purposes of these regulations a person’s marriage is to be treated as having been terminated, not only by the death of the other spouse or the annulment or dissolution of the marriage by an order of a court of competent jurisdiction, but also by virtue of the parties to the marriage ceasing to live together, whether or not an order for their separation has been made by any court.

Conditions

4. In regulation 4 for the words “condition that” there shall be substituted the words “conditions that (a)” and at the end of the regulation there shall be added—“and (b) as regards any course beginning after 30th November 1968, the applicant or his parent gives the authority a written undertaking that, where any sum is paid in pursuance of the award before the end of the year in

(a) 1962 c. 12.
(c) 1889 c. 63.
(e) S.I. 1966/985 (1966 II, p. 2360).

(b) S.I. 1964/490 (1964 I, p. 800).
(d) S.I. 1965/1404 (1965 II, p. 4134).
(f) S.I. 1967/209 (1967 I, p. 353).

respect of which the sum is payable, he will if called upon to do so repay or, as the case may be, pay to the authority the amount by which that sum exceeds the grant payable in respect of that year."

Exceptions

5. In regulation 5—

- (a) in paragraph (a) there shall be omitted the expression "full-time" and the words from "as a teacher" to the end of the paragraph shall be omitted; and
- (b) after paragraph (a) there shall be inserted as a new paragraph—
 "(aa) a person who has attended any full-time course or successfully completed any part-time course (not being a course in preparation for an educational qualification prescribed by or under these regulations) whether in the United Kingdom or elsewhere, being respectively a full-time course of further education of not less than two years' duration or a part-time course of a kind described in regulation 10(2)(a) and (b) of the Further Education (Local Education Authorities) Regulations 1959(a) as amended (b), or a comparable full-time or part-time course outside the United Kingdom."

Period of award

6. After paragraph (3) of regulation 7 there shall be inserted as a new paragraph—

"(3A) Notwithstanding paragraphs (2) and (3) above, in a case to which either of those paragraphs would apart from this paragraph apply an authority may after consultation with the academic authorities terminate the award if it is satisfied that when the holder applied for the award he did not intend to complete the course to which the application related."

Payments

7.—(1) In regulation 8 for the words "to or for the benefit of the holder" there shall be substituted the words "in pursuance".

(2) At the end of regulation 8 there shall be added as a new paragraph—
 "(2) Payments in respect of fees may be made to the academic authorities but subject thereto all payments shall be made to the award holder."

(3) After regulation 8 there shall be inserted as a new regulation—

"Minimum award

8A—(1) Subject to paragraph (2) below and to regulations 18 and 19(2) the authority shall in respect of each year pay in pursuance of the award the sum of £50 or a grant calculated in accordance with the following provisions of these regulations, whichever is the greater.

(2) The sum of £50 mentioned in paragraph (1) above shall not be payable in respect of an award holder who holds a State Scholarship or any award from a Government department or other public body or is in receipt of any payment (whether by way of salary or otherwise) from his employer being a scholarship, award or payment of a sum not less than the maximum payments for which he is eligible under regulations 9 and 10; and accordingly

(a) S.I. 1959/393 (1959 I, p. 1577).

(b) The relevant amending instruments are S.I. 1961/1582, 1964/490, 1965/2, 1966/1432 (1961 II, p. 3245; 1964 I, p. 800; 1965 I, p. 3; 1966 III, p. 3789).

in its application to such a person paragraph (1) shall have effect with the omission of the words "the sum of £50 or" and "whichever is the greater".

(4) Regulation 17 is hereby revoked.

Maintenance

8.—(1) At the beginning of regulation 10 there shall be inserted the words "(1) Subject to paragraph (2) below" and at the end of the paragraph there shall be added as a new paragraph—

"(2) Payments shall be made under this regulation at the rate of £275 for each year to a married woman who resides in the matrimonial home unless—

(a) her husband is incapacitated and dependent on her; or

(b) he is attending a course of full-time education at any university, establishment of further education or college of education. "

(2) The rate of payments specified by regulation 10 shall be increased in accordance with the following table:—

<i>Paragraph</i>	<i>Present rate</i>	<i>New rate</i>
	£	£
(a)	370	395
(b)	275	290
(c)	340	360
(d)	275	290
(e)	370	420

Additional payments

9.—(1) The rate of payments specified by regulation 11(1) shall be increased in accordance with the following table:—

<i>Subparagraph</i>	<i>Present rate</i>			<i>New rate</i>		
	£	s.	d.	£	s.	d.
(a)	17	6		1	0	0
(a)	10	0		11	6	
(b)	1	0	0	1	2	6
(c)	17	6		1	0	0
(c)	10	0		11	6	
(d)	17	6		1	0	0

(2) A payment in pursuance of regulation 11(1)(e) in respect of a course outside the United Kingdom shall be at the discretion of the authority unless the academic authorities have certified that if he did not attend it the award holder would not be eligible to complete the course in respect of which the award is held; and accordingly in its application to any course outside the United Kingdom in respect of which no such certificate has been given that subparagraph shall be read as if for the word "shall" there were substituted the word "may".

(3) In regulation 11(2) for the reference to £5 there shall be substituted a reference to £5 10s. 0d.

Dependants

10.—(1) The rate of payments specified by regulation 12(2) shall be varied in accordance with the following table:—

<i>Subparagraph</i>	<i>Present rate</i>	<i>New rate</i>
	£	£
(a)	190	210
(b)	80	90
(c)	60	50
(d)	55	45
(e)	65	75

(2) In regulation 12(3) there shall be inserted after the word "dependant" where it first occurs the words "received during the year".

(3) After regulation 12(5) there shall be inserted as a new paragraph—

"(5A) Payments under this regulation in respect of dependants outside the United Kingdom shall be at the discretion of the authority."

Older students

11. In regulation 14—

- (a) for the words from "has regularly supported himself" to "gross yearly income" there shall be substituted the words "has in each of any three of the six years immediately preceding that year earned a gross income";
- (b) after the words "25 per cent. above" there shall be inserted the words "the sum of £360 and" and the reference to regulation 10 shall be omitted; and
- (c) for the references to £20 and £100 there shall be substituted references to £24 and £120 respectively.

Reductions in respect of income

12. In regulation 15(2)—

- (a) after subparagraph (a) there shall be inserted as a new subparagraph—
 - "(aa) the first £200 of any such income as is described in the first proviso to paragraph 2(a) of schedule 2 in the case of an award holder who—
 - (i) has no parent living;
 - (ii) is not such a person as is described in any subparagraph of regulation 16(2)"; and
- (b) at the end of subparagraph (f) there shall be added the words "and any benefit under the Ministry of Social Security Act 1966"(a).

Women students

13. After regulation 15 there shall be inserted as a new regulation—

"Women students

15A. Notwithstanding the preceding provisions of these regulations (and in particular regulations 12 and 15)—

- (a) if the award holder is a woman to whom any payment is required by regulation 12(2) to be made and whose marriage has terminated, whether before or during the course, then—
 - (i) the sum to be disregarded under regulation 15(2)(a) shall be £200 instead of £100; or
 - (ii) an additional payment of £100 shall be made to her under regulation 12(2); or

- (iii) in the case of an award holder to whom regulation 14 applies, an additional payment shall be made to her under that regulation—
 whichever is the most favourable to the award holder;
- (b) an award holder who is a widow may elect that, in place of the payments that would otherwise be made to her under regulation 12(2) in respect of any dependent child, in calculating her income there shall be disregarded £300 in respect of her first dependent child and £100 in respect of every other dependent child;
- (c) payments in respect of a woman whose marriage terminates during the course shall be made after the termination of her marriage at a rate not lower than the rate at which they were made before the termination.”

Parental contribution

14.—(1) In regulation 16(2) there shall be inserted after the words “award holder” the words “whose parent cannot be traced nor in respect of one”.

(2) In schedule 2—

- (a) in paragraph 1 for the words from “balance of income” to the end of the paragraph there shall be substituted the words “as follows:—if the balance of income is not less than £900 the parental contribution shall be £20 with the addition of £1 for every complete £10 by which the balance exceeds £900”; and accordingly Part II of the schedule shall be omitted;
- (b) the first proviso to paragraph 2(a) shall apply in respect of a person of full age as it applies in respect of an infant and accordingly the references in that proviso to an infant shall be construed as including references to a person of full age;
- (c) in paragraph 3(d) there shall be inserted immediately after the words “national insurance contributions” the words “and graduated pension contributions”;
- (d) a deduction shall be made under paragraph 4(a) or (b) only if the parents ordinarily live together;
- (e) paragraph 4(c) shall apply to any other parent whose marriage has terminated as it applies to a widow or widower; and
- (f) the maximum deduction under paragraph 5(a) shall be reduced from £200 to £100.

Sandwich courses

15. In regulation 19(2)—

- (a) for the words “regulation 17 shall not apply and the regulations hereinafter specified shall be modified as follows” there shall be substituted the words “in respect of any year in which the award holder is required by the academic authorities to undertake any such course of experience as is described in paragraph (1) above, regulation 8A(1) shall not apply but the authority shall pay a grant calculated in accordance with the other provisions of these regulations subject to the following modifications”; and
- (b) for the reference in subparagraphs (a) and (f) to £35 there shall be substituted references to £36.

*Designated courses***16. In schedule 1—**

- (a) in paragraph 2 the word “first” shall be inserted before the word “degree”;
- (b) paragraph 4 shall be omitted; and
- (c) in paragraph 6 subparagraphs (a), (f), (g), (h), (k) and (n) shall be omitted and for the reference in subparagraph (m) to the Royal Scottish Academy of Music there shall be substituted a reference to the Royal Scottish Academy of Music and Drama.

Interpretation of 1965 regulations

17. Any reference in the University and Other Awards Regulations 1965 as amended to a provision of those regulations shall be construed as a reference to that provision as amended by any other regulations, including these regulations.

Given under the Official Seal of the Secretary of State for Education and Science on 12th August 1968.

(L.S.)

Edward Short,
Secretary of State for Education and
Science.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations alter the rates at which payments are made to students in pursuance of awards bestowed under the University and Other Awards Regulations 1965 as amended. They also make other minor amendments to those regulations.