

1978 No. 1096

EDUCATION, ENGLAND AND WALES

The State Awards Regulations 1978

Made - - - - - 26th July 1978

Laid before Parliament 7th August 1978

Coming into Operation 1st September 1978

The Secretary of State for Education and Science, in exercise of the powers conferred by sections 3(b), (c) and (d) and 4(2) of the Education Act 1962(a) (as amended by section 2 of the Education Act 1975(b)) and vested in her(c), hereby makes the following Regulations:—

Citation, commencement and extent

1.—(1) These Regulations may be cited as the State Awards Regulations 1978 and shall come into operation on 1st September 1978.

(2) Save in so far as these Regulations are made in pursuance of section 3(b) of the Act (awards in respect of post-graduate and comparable courses) they shall not extend to Wales so as to apply in respect of persons ordinarily resident therein.

Interpretation

2.—(1) Except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

“the Act” means the Education Act 1962 as amended and extended by the Education Act 1975 and the Education Act 1976(d);

“designated” means designated for the purposes of section 3 of the Act;

“the European University Institute” means the post-graduate institution in Florence known by that name;

“post-graduate course” does not include a course comparable to a first degree course or, in relation to a person undergoing initial training as a teacher, any course which he attends as such training;

“the Secretary of State” means the Secretary of State for Education and Science;

“state award” means a state studentship, state bursary or state bursary for adult education, and any reference to such a studentship or bursary shall be construed as a reference to one bestowed in pursuance of Regulation 4;

“university” includes a university college and a constituent college, school or hall of a university.

(2) Except where the context otherwise requires, in these Regulations a reference to a Regulation is a reference to a Regulation contained therein and a reference in a Regulation to a paragraph is a reference to a paragraph of that Regulation.

(a) 1962 c. 12.
(d) 1976 c. 81.

(b) 1975 c. 2.

(c) S.I. 1964/490, 1978/274.

(3) The Interpretation Act 1889(a) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

Revocations and transitional provisions

3.—(1) Subject to paragraphs (2) and (4), the Regulations specified in the Schedule hereto are hereby revoked.

(2) The Regulations revoked by paragraph (1) shall continue to have effect in relation to state scholarships for mature students bestowed thereunder before the coming into operation of these Regulations.

(3) A state award bestowed, or anything done, in pursuance of the Regulations revoked by paragraph (1) before the coming into operation of these Regulations, in so far as it could have been bestowed or done in pursuance of these Regulations, shall, for the purposes thereof, be treated as having been so bestowed or done.

(4) In accordance with Regulation 1(2), in respect of persons ordinarily resident in Wales, the Regulations revoked by paragraph (1) shall continue to have effect in so far as they relate to—

- (a) state scholarships for mature students, and
- (b) state bursaries for adult education;

and, accordingly, in respect of such persons, paragraphs (2) and (3) shall not have effect in relation to such awards.

Authority to bestow state awards

4.—(1) The Secretary of State is hereby authorised to bestow on persons—

- (a) state studentships in respect of their attendance at, subject to paragraph (2), such post-graduate or comparable courses as are designated by or under Regulation 5;
- (b) state bursaries in respect of their attendance at such post-graduate or comparable courses as are designated under Regulation 6, and
- (c) subject to paragraph (3), state bursaries for adult education in respect of their attendance at courses at such colleges providing long-term residential courses of full-time education for adults as are designated by Regulation 7.

(2) A state studentship shall not be bestowed upon a person in respect of his attendance at a course if it is for the time being designated under Regulation 6.

(3) A state bursary for adult education—

- (a) may be bestowed on a person only if he has attained the age of 20 years before 1st September in the year his course begins;
- (b) in accordance with Regulation 1(2), shall not be bestowed on a person ordinarily resident in Wales.

Courses for which state studentships are tenable

5. The following courses are designated as being post-graduate courses or comparable courses in the case of which state studentships may be bestowed, namely—

- (a) any full-time post-graduate course in the humanities at a university or other institution in England or Wales in preparation for a doctorate,

- a master's degree or a degree of bachelor of letters or of bachelor of philosophy;
- (b) any other full-time post-graduate course in the humanities, and any course comparable to such a course, being in either case a course at a university or other institution in the United Kingdom or, without prejudice to sub-paragraph (c) below, a course at a university or other institution abroad as, in special circumstances, is from time to time designated hereunder by the Secretary of State;
- (c) any full-time post-graduate course, and any course comparable to such a course, at the European University Institute.

Courses for which state bursaries are tenable

6. The following courses are designated as being post-graduate or comparable courses in the case of which state bursaries may be bestowed, namely, any full-time post-graduate course, and any course comparable thereto, being in either case a course, wholly or mainly professional or vocational in character and at a university or other institution (whether in the United Kingdom or abroad), as is from time to time designated hereunder by the Secretary of State.

Institutions at which state bursaries for adult education are tenable

7. The following colleges are designated as colleges providing long-term residential courses of full-time education for adults at which state bursaries for adult education are tenable, namely—

Co-operative College, Loughborough
Fircroft College, Birmingham
Hillcroft College, Surbiton
Northern College, Barnsley
Plater College, Oxford
Ruskin College, Oxford
Coleg Harlech, Wales
Newbattle Abbey, Dalkeith, Scotland.

Qualifications for state awards

8.—(1) Candidates for state awards (other than state bursaries for adult education) shall satisfy the Secretary of State as to their educational qualifications.

(2) The Secretary of State may require the submission of such evidence of the fitness of candidates for state awards as he may think requisite.

Duration of state awards

9.—(1) Subject to paragraphs (2) and (3), a state award shall be tenable for the duration of the course in respect of which it is bestowed.

- (2) The maximum period for which an award shall be tenable shall be—
- (a) three years, or
- (b) in the case of a person who has held some other statutory award in respect of his attendance at a post-graduate course, such lesser period

as secures that, when it is aggregated with the period for which the other award was held, the aggregate period does not exceed three years,

unless, in the special circumstances of an individual case, the Secretary of State otherwise directs.

In this paragraph the expression "statutory award" means any award bestowed or grant paid by virtue of the Act and any comparable award or grant which is paid out of moneys provided by Parliament.

(3) The Secretary of State may suspend or cancel an award if he is not satisfied as respects the holder's attendance at his course or his conduct or progress.

Payments in pursuance of state awards

10.—(1) The Secretary of State is hereby authorised to make such payments in pursuance of a state award as, subject to paragraph (2), he thinks fit towards—

- (a) the fees for the course in respect of which it is bestowed;
- (b) the maintenance of the person on whom it is bestowed ("the holder") or of his dependants;
- (c) the holder's travelling expenses during the course, and
- (d) other expenses incurred by the holder in connection with his course.

(2) In determining the amount of such payments the Secretary of State shall take account of any income (including other awards) of—

- (a) the award holder;
- (b) his dependants, and
- (c) in the case of a state bursary or of a state bursary for adult education, his parents.

(3) On a state award being bestowed on a person he shall forthwith submit to the Secretary of State a written statement of the income, or expected income, of himself and of any other person whose income falls to be taken into account under paragraph (2); and in the event of any change in the financial circumstances of either himself or such a person, at any time while he holds the award, he shall as soon as is reasonably practicable, submit to the Secretary of State a written statement giving particulars of the change.

SCHEDULE

REGULATIONS REVOKED WITH SAVINGS

Regulations revoked	References
The State Awards Regulations 1963	S.I. 1963/1223
The State Awards (Amendment) Regulations 1969	S.I. 1969/554
The State Awards (Amendment) Regulations 1975	S.I. 1975/940
The State Awards (European University Institute) Regulations 1976	S.I. 1976/613

Given under the Official Seal of the Secretary of State for Education and Science on 26th July 1978.

(L.S.)

Shirley Williams,
Secretary of State for
Education and Science.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations consolidate, with amendments and subject to savings, the State Awards Regulations 1963 and the other Regulations specified in the Schedule (which relate to state studentships, state bursaries, state bursaries for adult education and state scholarships for mature students and do not distinguish between students ordinarily resident in Wales and other students). In accordance with Article 2 of the Transfer of Functions (Wales) (No. 2) Order 1978 (S.I. 1978/274), the only provisions of the present Regulations which apply in respect of persons ordinarily resident in Wales are those relating to state studentships and state bursaries (made in pursuance of section 3(b) of the Education Act 1962). Accordingly, the Regulations specified in the Schedule, so far as they relate to state bursaries for adult education and state scholarships for mature students, continue to have effect in respect of persons ordinarily resident in Wales (*Regulations 1(2), 3(4) and 4(3)*).

The other principal changes are described below.

The provisions relating to state scholarships for mature students (in respect of first degree and comparable courses) are not reproduced but, in relation to such scholarships awarded before the coming into operation of the present Regulations, the revoked Regulations continue to have effect (*Regulation 3(2)*).

State bursaries (in respect of post-graduate and comparable courses) may be awarded in respect of a course at a university or institution abroad as well as at one within the United Kingdom (*Regulation 6*).

The Northern College, Barnsley, is added to the list of colleges at which state bursaries for adult education (in respect of long-term residential courses) are tenable (*Regulation 7*).

The maximum duration of a state award is restricted in the case of a person who has held some other statutory award in respect of his attendance at a post-graduate course (*Regulation 9(2)*).

SI 1978/1096
ISBN 0-11-084096-8

