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STATUTORY INSTRUMENTS

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**1991 No. 1838**

**The Education (Mandatory Awards) Regulations 1991**

**PART II**

**Awards**

**Conditions**

**11.**—(1) Subject to paragraph (2), the duty of an authority to bestow an award shall be subject to the conditions that—

- (a) an application in writing reaches the authority before the end of the term in which the student commences his course; and
- (b) the applicant gives the authority a written undertaking that, where any provisional or other payments made in pursuance of the award in respect of a year exceed (for whatever reason) the grant payable in respect of that year, he will, if called upon to do so, repay the excess amount.

(2) For the purposes of paragraph (1)(a), an application shall be treated as having reached the authority as there mentioned—

- (a) where, to the knowledge of the authority, an application has so reached some other authority;
- (b) where, before the end of the term in which the student commenced his course, it has not become a designated course and the application reaches the authority before the end of the first term after it becomes a designated course;
- (c) in the case of a refugee, or the spouse or child of a refugee, where the application reaches the authority before the end of the term of his course first beginning after the date on which the refugee was recognised as a refugee or was accorded asylum; or
- (d) **in the case of a student who before commencing his course was resident in the former German Democratic Republic, or who has previously attended one or more courses of higher education the aggregate duration of which does not exceed two academic years (a part-time course being treated as its full-time equivalent), where the application reached the authority before 31st August 1991;**
- (e) where, having regard to the circumstances of the particular case, the authority consider that it should be so treated.

(3) If the applicant is a minor, paragraph (1)(b) shall have effect, with the necessary modifications, as if the references to the applicant were references to the applicant or his parent.