
S T A T U T O R Y I N S T R U M E N T S

2000 No. 2142

EDUCATION, ENGLAND AND WALES

**The Education (Student Support) Regulations 2000
(Amendment) (No. 2) Regulations 2000**

Made - - - - - *3rd August 2000*

Laid before Parliament *7th August 2000*

Coming into force - - *1st September 2000*

The Secretary of State for Education and Employment, in exercise of the powers conferred on the Secretary of State by sections 22, 42(6) and 43(1) of the Teaching and Higher Education Act 1998(a), hereby makes the following Regulations:

1. These Regulations may be cited as the Education (Student Support) Regulations 2000 (Amendment) (No. 2) Regulations 2000 and shall come into force on 1st September 2000.

2. The Education (Student Support) Regulations 2000(b) shall be amended as follows.

3.—(1) In regulation 2(1) insert in the appropriate place the following definition:

““end-on course” means—

- (a) a course mentioned in paragraph 1 of Schedule 2, which a student begins to attend immediately after ceasing to attend a course mentioned in paragraph 2 or 3 of Schedule 2 (disregarding any intervening vacation) for which the student received or was entitled to receive a transitional award, a loan under the 1998 Regulations, or support under the 1999 Regulations; or
- (b) a course for the initial training of teachers mentioned in paragraph 4 of Schedule 2 the duration of which does not exceed two years (a part-time course being treated as its full-time equivalent), which a student begins to attend immediately after ceasing to attend a course mentioned in paragraph 1 or 4 (but only where the course leads to a first degree) of Schedule 2 (disregarding any intervening vacation) for which the student received or was entitled to receive a transitional award, a loan under the 1998 Regulations, or support under the 1999 Regulations;”.

(2) In regulation 2(3) substitute for the words “military and air forces and of the Royal Navy forces” the words “naval, military or air forces of the Crown”.

4. In regulation 10(4)(a) substitute for the words “except where the previous course was one leading to a first degree within paragraph 4 of Schedule 2 and the eligible student did not successfully complete it; or” the following:

“except where the previous course was a course

- (i) leading to a first degree within paragraph 4 of Schedule 2, or
- (ii) for the initial training of teachers referred to in paragraph 4 of Schedule 2 the duration of which does not exceed two years (a part-time course being treated as its full-time equivalent)

and the eligible student did not successfully complete it; or”.

(a) 1998 c. 30.

(b) S.I. 2000/1121, amended by S.I. 2000/1490.

5. In regulation 12(3)—
- (a) in sub-paragraph (a) after the words “public health service laboratory” insert the words “or with a primary care trust”; and
 - (b) in sub-paragraph (e)(i) after the words “National Health Service Act 1977” insert the word “or”.
6. In regulation 15(10)—
- (a) at the end of the definition of “child” insert the words “and, in the case of a student in respect of whom the first academic year of the course (not being an end-on course) begins on or after 1st September 2000 and who falls within paragraph 3(1)(a) of Part II of Schedule 3, any child of his partner who is dependent on him”;
 - (b) after the definition of “dependent” insert the following definition:
 ““partner” means a woman ordinarily living with a man student as his wife or a man ordinarily living with a woman student as her husband;”;
 - (c) for the definition of “spouse” substitute the following:
 ““spouse” includes, in the case of an eligible student in respect of whom the first academic year of the course (not being an end-on course) begins on or after 1st September 2000 and who falls within paragraph 3(1)(a) of Part II of Schedule 3, a partner. It does not include a spouse of an eligible student where they have ceased ordinarily to live together, in the case of a married student whether or not an order for their separation has been made by any court, or where the spouse is ordinarily living outside the United Kingdom and is not maintained by him.”.
- 7.—(1) In regulation 16(1)—
- (a) substitute for the words “for school meals” the words “under this regulation”; and
 - (b) after the words “if the child” insert the words “is either aged three or four during the relevant school year or”.
- (2) For regulation 16(5) substitute the following paragraph:
- “(5) In this regulation “relevant school year” means:
- (a) in the case of a child who attends a school (of a kind referred to in paragraph (1)), the school year whose beginning is closest to the beginning of the academic year in respect of which the eligibility for grant under this regulation is being assessed, where “school year” has the meaning given in section 579(1) of the Education Act 1996(a); and
 - (b) in the case of a child aged three or four who does not attend such a school, the period of 12 months beginning on 1st September which falls closest to the beginning of the academic year in respect of which the eligibility for grant under this regulation is being assessed.”.
8. After regulation 21(6) add the following paragraph:
- “(7) Where the amount of the hardship loan is determined to be less than £500 under paragraph (4), the student may make one further application for a hardship loan in accordance with the requirements of this regulation, except that the amount of the hardship loan under the second determination when added to the amount under the first determination shall not exceed £500.”.
- 9.—(1) In paragraph 1(1)(d) of Schedule 3 add at the end the following words:
- “or any payment made in respect of the student’s training as a teacher by an institution to which grants, loans or other payments for that purpose are provided under section 5 of the Education Act 1994(b);”.
- (2) In paragraph 1(1)(t) of Schedule 3 for the words “access funds held by the institution” substitute the words “access bursary funds or hardship funds paid to the institution under section 65 of the Further and Higher Education Act 1992(c)”.

(a) The definition of “school year” was inserted by the Education Act 1997 (c. 44), Schedule 7, paragraph 43.

(b) 1994 c. 30.

(c) 1992 c. 13.

(3) In paragraph 6(2)(aa) of Schedule 3 after the words “1st September 2000” insert the words “(or on or after 1st September 2000 where the course is an end-on course)”.

(4) In paragraph 7 of Schedule 3 after the words “his course” and “her course” insert the words “(not being an end-on course)”.

3rd August 2000

Tessa Blackstone
Minister of State,
Department for Education and Employment

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which come into force on 1st September 2000, further amend the Education (Student Support) Regulations 2000 (“the Student Support Regulations”).

Regulation 3(1) introduces a definition of end-on courses. These are, broadly, certain higher education courses which a student attends immediately following a course for the Diploma of Higher Education, the Higher National Diploma or Higher National Certificate, or a first degree course including a course for the initial training of teachers leading to a first degree.

The following provisions of the Student Support Regulations, which apply to students by reference to whether the first academic year of their course begins either before, or on or after, 1st September 2000, are amended so that they do not affect students attending an end-on course. Firstly, regulation 15(10) of the Student Support Regulations is amended so that a student who is aged 25 or over on the first day of the academic year is not eligible for a dependant’s grant in respect of a person living with him as his spouse where he attends an end-on course beginning on or after 1st September 2000 (*regulation 6*). Secondly, paragraph 6(2) (aa) of Schedule 3 to the Student Support Regulations (deduction, where the student’s course began before 1st September 2000, of loan interest payments on which relief is given under the Income Tax Acts) is amended so that the relevant deduction from a parent’s gross income also applies in respect of a student attending an end-on course beginning on or after 1st September 2000 (*regulation 9(3)*). Thirdly, paragraph 7 of Schedule 3 to the Student Support Regulations is amended so that no spouse’s contribution applies to a student aged 25 or over on the first day of the academic year in respect of a person living with him as his spouse where the student attends an end-on course beginning on or after 1st September 2000 (*regulation 9(4)*).

Regulation 10(4)(a) of the Student Support Regulations is amended to include a further exception, in respect of a relevant course for the initial training of teachers, to the provision that a student is not generally eligible for support where he has previously attended a publicly funded course at an institution in the United Kingdom (*regulation 4*).

Regulation 5 amends regulation 12(3)(a) of the Student Support Regulations (exception to ineligibility for grant for living costs for sandwich course students undertaking specified unpaid service) to include unpaid service with a primary care trust.

Regulation 6 amends the definition of “child” in regulation 15(10) of the Student Support Regulations so as to include any child of a student’s partner, as defined in regulation 6, who is dependent on the student. This applies to a student who is aged 25 or over on the first day of the academic year where the student’s course, not being an end-on course, begins on or after 1st September 2000.

Regulation 16 of the Student Support Regulations is amended so that a grant for meals applies, where the dependent child is aged three or four, whether or not that child attends a school (*regulation 7*).

Regulation 21 of the Student Support Regulations (hardship loans) is amended so that, where the amount of hardship loan for which a student was determined to be eligible under a first determination is less than £500, he may make one further application for a hardship loan in accordance with the requirements of the regulation, subject to an overall maximum of £500 (*regulation 8*).

Paragraph 1(1)(d) of Schedule 3 to the Student Support Regulations is amended to extend the disregard for grants to students to facilitate teacher training, in calculating their income, to payments in respect of such training by institutions which receive funding under section 5 of the Education Act 1994 (*regulation 9(1)*).

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