
STATUTORY INSTRUMENTS

2006 No. 119

The Education (Student Support) Regulations 2006

PART 5

GRANTS FOR LIVING AND OTHER COSTS

CHAPTER 1

TYPES OF GRANTS AVAILABLE

New system students

35. The following grants are available to a new system student in connection with a designated course if he meets the relevant qualifying conditions in this Part—

- (a) disabled students' allowance;
- (b) grant for dependants;
- (c) grant for travel;
- (d) maintenance grant or special support grant.

Old system students

36. The following grants are available to an old system student in connection with a designated course if he meets the relevant qualifying conditions in this Part—

- (a) disabled students' allowance;
- (b) grant for dependants;
- (c) grant for travel;
- (d) higher education grant.

CHAPTER 2

GENERAL PROVISIONS

General qualifying conditions for grants for living and other costs

37.—(1) An eligible student qualifies for a grant under this Part provided that—

- (a) he is not excluded from qualification by any of the following paragraphs; and
- (b) he satisfies the qualifying conditions for the particular grant for which he is applying.

(2) An eligible student does not qualify for a grant under this Part if the only paragraph in Part 2 of Schedule 1 into which he falls is paragraph 9.

(3) An eligible student does not qualify for a grant under this Part in respect of any academic year—

- (a) during which he is eligible to receive any payment under a healthcare bursary the amount of which is calculated by reference to his income;
 - (b) during which he is eligible to receive a Scottish healthcare allowance the amount of which is calculated by reference to his income; or
 - (c) of a course for the initial training of teachers during which the periods of full-time attendance, including attendance for the purpose of teaching practice, are in aggregate less than 6 weeks.
- (4) Paragraph (3)(c) does not apply for the purposes of the disabled students' allowance.
- (5) An eligible student does not qualify for a grant for living and other costs under this Part in respect of any academic year of a sandwich course where the periods of full-time study are in aggregate less than 10 weeks unless the periods of work experience constitute unpaid service.
- (6) For the purposes of paragraph (5), “unpaid service” means—
- (a) unpaid service in a hospital or in a public health service laboratory or with a primary care trust in the United Kingdom;
 - (b) unpaid service with a local authority in the United Kingdom acting in the exercise of its functions relating to the care of children and young persons, health or welfare or with a voluntary organisation providing facilities or carrying out activities of a like nature in the United Kingdom;
 - (c) unpaid service in the prison or probation and aftercare service in the United Kingdom;
 - (d) unpaid research in an institution in the United Kingdom or, in the case of a student attending an overseas institution as part of his course, in an overseas institution; or
 - (e) unpaid service with—
 - (i) a Health Authority or a Strategic Health Authority established pursuant to section 8 of the National Health Service Act 1977⁽¹⁾, a Special Health Authority established pursuant to section 11 of that Act⁽²⁾ or a Local Health Board established pursuant to section 16BA of that Act⁽³⁾;
 - (ii) a Health Board or a Special Health Board constituted under section 2 of the National Health Service (Scotland) Act 1978⁽⁴⁾; or
 - (iii) a Health and Social Services Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972⁽⁵⁾.
- (7) Where one of the events listed in paragraph (8) occurs in the course of an academic year, a student may qualify for a particular grant in accordance with this Part in respect of all or part of that academic year but he does not qualify for a grant for living and other costs in respect of any academic year beginning before the academic year in which the relevant event occurred.
- (8) The events are—
- (a) the student’s course becomes a designated course;
 - (b) the student, his spouse, his civil partner or his parent is recognised as a refugee or becomes a person with leave to enter or remain as defined in Part 1 of Schedule 1;
 - (c) the state of which the student is a national accedes to the European Community where the student has been ordinarily resident in the United Kingdom and Islands throughout

(1) 1977 c. 49; section 8 was amended by the National Health Service Reform and Health Care Professions Act 2002 (c. 17), section 1(2).

(2) Section 11 was amended by the Health Authorities Act 1995 (c. 17), section 2 and Schedule 1, paragraph 2 and the Health Act 1999 (c. 8), Schedule 4, paragraph 6.

(3) Section 16BA was inserted by the National Health Service Reform and Health Care Professions Act 2002 (c. 17), section 6(1).

(4) 1978 c. 29.

(5) S.I.1972/1265 (N.I. 14).

the three-year period immediately preceding the first day of the first academic year of the course;

- (d) the student acquires the right of permanent residence as defined in Part 1 of Schedule 1;
- (e) the student becomes a person described in paragraph 6(1)(a) of Schedule 1; or
- (f) the student becomes the child of a Swiss national.

(9) A disabled student who is undertaking a designated course in the United Kingdom but who is not in attendance because he is unable to attend for a reason relating to his disability is treated as if he were in attendance on the designated course for the purpose of qualifying for the following grants—

- (a) grant for dependants;
- (b) maintenance grant or special support grant;
- (c) higher education grant.

CHAPTER 3

DISABLED STUDENTS' ALLOWANCES

Qualifying conditions for the disabled students' allowance

38.—(1) An eligible student qualifies in accordance with this regulation for a grant to assist with the additional expenditure which the Secretary of State is satisfied he is obliged to incur by reason of a disability to which he is subject in respect of his undertaking a designated course (the “disabled students' allowance”).

(2) An eligible student does not qualify for a disabled students' allowance under this regulation unless the Secretary of State considers that he is undertaking the course in the United Kingdom.

Amount of the disabled students' allowance

39.—(1) Subject to the following paragraphs, the amount of the disabled students' allowance is the amount that the Secretary of State considers appropriate in accordance with the student's circumstances.

(2) Except where paragraph (4) applies, the amount of the disabled students' allowance must not exceed—

- (a) £12,135 in respect of an academic year for expenditure on a non-medical personal helper;
- (b) £4,795 in respect of all the academic years during the period of eligibility for expenditure on major items of specialist equipment;
- (c) the additional expenditure incurred—
 - (i) within the United Kingdom for the purpose of attending the institution;
 - (ii) within or outside the United Kingdom for the purpose of attending, as a part of his course, any period of study at an overseas institution or for the purpose of attending the British Institute in Paris;
- (d) £1,605 in respect of an academic year for any other expenditure including expenditure incurred for the purposes referred to in sub-paragraph (a) or (b) which exceeds the specified maxima.

(3) Where the eligible student has received payments to assist with expenditure on major items of specialist equipment in connection with the course by virtue of holding a transitional award, the maximum amount of grant under paragraph (2)(b) is reduced by the amount of those payments.

(4) The maximum amount under paragraphs (2)(a) and (2)(d) is £9,105 and £1,200, respectively where—

- (a) an eligible student undertakes a course for the initial training of teachers; and
- (b) in any academic year of that course, the periods of full-time study and full-time teaching practice are in aggregate less than 6 weeks.

CHAPTER 4 GRANTS FOR DEPENDANTS

General

- 40.**—(1) The grant for dependants consists of the following elements—
- (a) adult dependants' grant;
 - (b) childcare grant;
 - (c) parents' learning allowance.
- (2) The qualifying conditions for each element and the amounts payable are set out in regulations 41 to 44.

Adult dependants' grant

- 41.**—(1) An eligible student qualifies for an adult dependants' grant in connection with his attendance on a designated course in accordance with this regulation.
- (2) The adult dependants' grant is available in respect of either—
- (a) the eligible student's partner; or
 - (b) an adult dependant of the eligible student whose net income does not exceed £3,530.
- (3) The amount of adult dependants' grant payable in respect of an academic year is calculated in accordance with regulation 44, the basic amount being—
- (a) £2,455; or
 - (b) where the person in respect of whom the eligible student is applying for adult dependants' grant is ordinarily resident outside the United Kingdom, such amount not exceeding £2,455 as the Secretary of State considers reasonable in the circumstances.

Childcare grant

- 42.**—(1) An eligible student qualifies, in connection with his attendance on a designated course, for a grant in respect of childcare costs for each dependent child in accordance with this regulation.
- (2) Subject to paragraph (3), an eligible student qualifies for a childcare grant in respect of an academic year where childcare is provided by an approved or registered childcare provider if—
- (a) the child is under the age of 15 immediately before the beginning of the academic year; or
 - (b) the child has special educational needs within the meaning of section 312 of the Education Act 1996⁽⁶⁾ and is under the age of 17 immediately before the beginning of the academic year.
- (3) An eligible student does not qualify for a grant under this regulation if he or his partner has elected to receive the childcare element of the working tax credit under Part I of the Tax Credits Act 2002⁽⁷⁾.
- (4) Subject to paragraph (5), the basic amount of childcare grant for each week is—

⁽⁶⁾ 1996 c. 56; section 312 was amended by the Education Act 1997 (c. 44), Schedule 7, paragraph 23, the Schools Standards and Framework Act 1998 (c. 31), section 140, Schedule 30, paragraph 71 and Schedule 31 and the Learning and Skills Act 2000 (c. 21), Schedule 9, paragraph 56.

⁽⁷⁾ 2002 c. 21.

- (a) for one dependent child, 85 per cent. of the costs of the childcare, subject to a maximum amount of £148.75 per week; or
- (b) for two or more dependent children, 85 per cent. of the costs of the childcare, subject to a maximum amount of £255 per week

except that the student does not qualify for any such grant in respect of each week falling within the period between the end of the course and the end of the academic year in which the course ends.

- (5) For the purposes of calculating the basic amount of childcare grant—
 - (a) a week runs from Monday to Sunday; and
 - (b) where a week in respect of which childcare costs are incurred falls partly within and partly outside the academic year in respect of which childcare grant is payable under this regulation, the maximum weekly amount of grant is calculated by multiplying the relevant maximum weekly amount in paragraph (4) by the number of days of that week falling within the academic year and dividing the product by seven.
- (6) In this regulation—
 - “approved childcare provider” means a childcare provider approved in accordance with the Tax Credit (New Category of Child Care Provider) Regulations 1999⁽⁸⁾ or the Tax Credits (Approval of Child Care Providers) Scheme 2005⁽⁹⁾; and
 - “registered childcare provider” means a person who acts as a child minder or provides day care and is registered within the meaning of section 79F of the Children Act 1989⁽¹⁰⁾.

Parents' learning allowance

43.—(1) An eligible student qualifies in connection with his attendance on a designated course for the parents' learning allowance if he has one or more dependent children.

(2) The amount of parents' learning allowance payable in respect of an academic year is calculated in accordance with regulation 44, the basic amount being £1,400.

Calculations

44.—(1) Subject to the following paragraphs, the amount payable in respect of a particular element of the grant for dependants for which the eligible student qualifies under regulations 41 to 43 is the amount of that element remaining after applying, until it is extinguished, an amount equal to $A - B$ as follows and in the following order—

- (a) to reduce the basic amount of the adult dependants' grant where the eligible student qualifies for that element under regulation 41;
- (b) to reduce the basic amount of the childcare grant for the academic year where the eligible student qualifies for that element under regulation 42; and
- (c) to reduce the basic amount of the parents' learning allowance where the eligible student qualifies for that element under regulation 43.

(2) Subject to paragraphs (4), (5) and (13), where B is greater than or equal to A , the basic amount of each element of the grant for dependants for which the eligible student qualifies is payable.

(3) Where $A - B$ is equal to or exceeds the aggregate of the basic amounts of the elements of the grant for dependants for which the eligible student qualifies, the amount payable in respect of each element is nil.

⁽⁸⁾ S.I. 1999/3110.

⁽⁹⁾ S.I. 2005/93.

⁽¹⁰⁾ 1989 c. 41; section 79F was inserted by the Care Standards Act 2000 (c. 14) and amended by the Children Act 2004 (c. 41), Schedules 4 and 5.

(4) The amount of adult dependants' grant calculated under paragraph (1) is reduced by one half where—

- (a) the eligible student's partner—
 - (i) is an eligible student; or
 - (ii) holds a statutory award; and
- (b) account is taken of that partner's dependants in calculating the amount of support for which that partner qualifies or the payment to which he is entitled under the statutory award.

(5) The amount of childcare grant calculated under paragraph (1) is reduced by one half where—

- (a) the eligible student's partner—
 - (i) is an eligible student; or
 - (ii) holds a statutory award; and
- (b) account is taken of that partner's dependants in calculating the amount of support for which that partner qualifies or the payment to which he is entitled under the statutory award.

(6) Where the amount of the parents' learning allowance calculated under paragraph (1) is £0.01 or more but less than £50, the amount of parents' learning allowance payable is £50.

(7) In this regulation—

A is the aggregate of the net income of each of the eligible student's dependants; and

B is £1,075 where the eligible student has no dependent child;

£3,225 where the eligible student is not a lone parent and has one dependent child;

£4,300 where the eligible student is not a lone parent and has more than one dependent child;

£4,300 where the eligible student is a lone parent and has one dependent child;

£5,380 where the eligible student is a lone parent and has more than one dependent child.

(8) Paragraphs (9) to (12) apply where, in the course of the academic year, any of the following occurs—

- (a) there is a change in the number of the eligible student's dependants;
- (b) a person becomes or ceases to be a dependant of the eligible student;
- (c) the eligible student becomes or ceases to be a lone parent;
- (d) a student becomes eligible for support as a result of an event referred to in regulation 37(8).

(9) For the purposes of determining the respective values of *A* and *B* and whether adult dependants' grant or parents' learning allowance is payable, the Secretary of State must determine the following in relation to each relevant quarter by reference to the student's circumstances in the relevant quarter—

- (a) how many dependants the eligible student is to be treated as having;
- (b) who those dependants are;
- (c) whether the student is to be treated as a lone parent.

(10) The amount of grant for dependants for the academic year is the aggregate of the amounts of adult dependants' grant and parents' learning allowance calculated in respect of each relevant quarter under paragraph (11) and the amount of any childcare grant for the academic year.

(11) The amount of adult dependants' grant and parents' learning allowance in respect of a relevant quarter is one third of what that grant or allowance would be for the academic year if the student's circumstances in the relevant quarter as determined under paragraph (9) applied for the duration of the academic year.

- (12) In this regulation, a “relevant quarter” means—
- (a) in the case of a person referred to in paragraph (8)(d), a quarter which begins after the relevant event occurs other than a quarter during which, in the opinion of the Secretary of State, the longest of any vacation occurs;
 - (b) otherwise, a quarter other than the one quarter during which, in the opinion of the Secretary of State, the longest of any vacation occurs.

(13) A deduction may be made in accordance with Part 8 from the amount payable in respect of a particular element of the grant for dependants calculated under this Part.

Interpretation of Chapter 4

45.—(1) In regulations 40 to 44—

- (a) “adult dependant” means, in relation to an eligible student, an adult person dependent on the student other than his child, his partner (including a spouse or civil partner from whom the Secretary of State considers the student is separated) or his former partner;
- (b) “child” in relation to an eligible student includes any child of his partner who is dependent on him and any child for whom he has parental responsibility who is dependent on him;
- (c) “dependant” means, in relation to an eligible student, his partner, his dependent child or an adult dependant, who in each case is not an eligible student and does not hold a statutory award;
- (d) “dependent” means wholly or mainly financially dependent;
- (e) “lone parent” means an eligible student who does not have a partner and who has a dependent child or dependent children;
- (f) “net income” has the meaning given in paragraph (2);
- (g) subject to sub-paragraphs (h), (i) and (j), “partner” means any of the following—
 - (i) the spouse of an eligible student;
 - (ii) the civil partner of an eligible student;
 - (iii) a person ordinarily living with an eligible student as if he were his spouse where an eligible student falls within paragraph 2(1)(a) of Schedule 4 and began the specified designated course on or after 1st September 2000;
 - (iv) a person ordinarily living with an eligible student as if he were his civil partner where an eligible student falls within paragraph 2(1)(a) of Schedule 4 and began the specified designated course on or after 1st September 2005;
- (h) unless otherwise indicated, a person who would otherwise be a partner under sub-paragraph (g) is not to be treated as a partner if—
 - (i) in the opinion of the Secretary of State, that person and the eligible student are separated; or
 - (ii) the person is ordinarily living outside the United Kingdom and is not maintained by the eligible student;
- (i) for the purposes of the definition of “adult dependant”, a person is to be treated as a partner if he would be a partner under sub-paragraph (g) but for the fact that the eligible student with whom he is ordinarily living does not fall within paragraph 2(1)(a) of Schedule 4;
- (j) for the purposes of the definitions of “child” and “lone parent”, a person is to be treated as a partner if he would be a partner under sub-paragraph (g) but for the date on which the eligible student began the specified designated course or the fact that the eligible student with whom he is ordinarily living does not fall within paragraph 2(1)(a) of Schedule 4.

(2) Subject to paragraph (3), a dependant's net income is his income from all sources for the academic year in question reduced by the amount of income tax and social security contributions payable in respect of it but disregarding—

- (a) any pension, allowance or other benefit paid by reason of a disability or incapacity to which the dependant is subject;
- (b) child benefit payable under Part IX of the Social Security Contributions and Benefits Act 1992⁽¹¹⁾;
- (c) any financial support payable to the dependant by a local authority in accordance with regulations made under sections 2, 3 and 4 of the Adoption and Children Act 2002⁽¹²⁾;
- (d) any guardian's allowance to which the dependant is entitled under section 77 of the Social Security Contributions and Benefits Act 1992;
- (e) in the case of a dependant with whom a child being looked after by a local authority is boarded out, any payment made to that dependant in pursuance of section 23 of the Children Act 1989⁽¹³⁾;
- (f) any payments made to the dependant under section 15 of and Schedule 1 to the Children Act 1989 in respect of a person who is not the dependant's child or any assistance given by a local authority pursuant to section 24 of that Act; and
- (g) any child tax credit to which the dependant is entitled under Part I of the Tax Credits Act 2002.

(3) Where an eligible student or his partner makes any recurrent payments which were previously made by the student in pursuance of an obligation incurred before the first academic year of the student's course, the partner's net income is the net income calculated in accordance with paragraph (2) reduced by—

- (a) an amount equal to the payments in question for the academic year, if in the opinion of the Secretary of State the obligation had been reasonably incurred; or
- (b) such lesser amount, if any, as the Secretary of State considers appropriate if, in her opinion, a lesser obligation could reasonably have been incurred.

(4) For the purposes of paragraph (2), where the dependant is a dependent child and payments are made to the eligible student towards the child's maintenance, those payments are to be treated as the child's income.

CHAPTER 5

GRANTS FOR TRAVEL

Qualifying conditions for the grant for travel

46.—(1) A grant is available to an eligible student attending a course in medicine or dentistry (a necessary part of which is a period of study by way of clinical training) in respect of the reasonable expenditure which he is obliged to incur in an academic year for the purpose of attending in connection with his course any hospital or other premises in the United Kingdom (not comprised in the institution) at which facilities for clinical training are provided other than expenditure incurred for the purpose of residential study away from the institution.

(2) A grant is available to an eligible student in respect of the reasonable expenditure which he is obliged to incur in an academic year within or outside the United Kingdom for the purpose

⁽¹¹⁾ 1992 c. 4.

⁽¹²⁾ 2002 c. 38.

⁽¹³⁾ 1989 c. 41. Section 23 was amended by the Children Act 2004 (c. 31), section 49(3).

of attending for a period of at least eight weeks as part of his course an overseas institution or the British Institute in Paris.

Amount of the grant for travel

47.—(1) The amount of grant payable in respect of an academic year is equal to the reasonable expenditure that the Secretary of State determines the eligible student is obliged to incur for the purposes set out in regulation 46(1) or regulation 46(2) less £285.

(2) For the purposes of this Chapter any reference to expenditure incurred for the purpose of attending an institution or period of study—

- (a) includes expenditure both before and after so attending; and
- (b) does not include any expenditure in respect of which a grant is payable under Chapter 3 of this Part.

(3) Where an eligible student attends for a period of at least eight weeks as part of his course an overseas institution or the British Institute in Paris and he reasonably incurs any expenditure in insuring against liability for the cost of medical treatment provided outside the United Kingdom for any illness or bodily injury contracted or suffered during that period he qualifies for additional grant under this regulation equal to the amount so incurred.

(4) A deduction may be made from a grant under this Chapter in accordance with Part 8.

CHAPTER 6

MAINTENANCE GRANTS FOR NEW SYSTEM STUDENTS

Qualifying conditions for the maintenance grant

48.—(1) A new system student qualifies in accordance with this regulation for a maintenance grant in connection with his attendance on a designated course.

(2) A new system student does not qualify for a maintenance grant if he qualifies for a special support grant.

(3) If a new system student does not qualify for a fee loan in respect of an academic year of the designated course, he cannot qualify for a maintenance grant for that year unless the reason that he does not qualify for a fee loan is because—

- (a) the year is an Erasmus year; or
- (b) the designated course is a flexible postgraduate course for the initial training of teachers.

Amount of the maintenance grant

49.—(1) The maximum amount of maintenance grant available in respect of an academic year is—

- (a) in the case of a type 1 teacher training student, £1,350;
- (b) in the case of a type 2 teacher training student, £2,700; and
- (c) in the case of a new system student other than a type 1 or type 2 teacher training student, £2,700.

(2) A type 1 teacher training student who qualifies for a maintenance grant in respect of an academic year receives an amount as follows in respect of that year—

- (a) where the household income is £17,500 or less, he receives £1,350;
- (b) where the household income exceeds £17,500 but does not exceed £26,500, he receives an amount equal to

$$M \left(\frac{A}{2} \right)$$

where

M is £1,350

A is £1 for every complete £6 by which the household income exceeds £17,500; and

- (c) where the household income exceeds £26,500 or he opts when applying for the grant not to provide the information needed to calculate the household income, he receives £600.

(3) A type 2 teacher training student who qualifies for a maintenance grant in respect of an academic year receives an amount as follows in respect of that year —

- (a) where the household income is £17,500 or less, he receives £2,700;
 (b) where the household income exceeds £17,500 but does not exceed £26,500, he receives an amount equal to $M - A$ where—

M is £2,700

A is £1 for every complete £6 by which the household income exceeds £17,500; and

- (c) where the household income exceeds £26,500 or he opts when applying for the grant not to provide the information needed to calculate the household income, he receives £1,200.

(4) A new system student other than a type 1 or type 2 teacher training student who qualifies for a maintenance grant in respect of an academic year receives an amount as follows in respect of that year—

- (a) where the household income is £17,500 or less, he receives £2,700;
 (b) where the household income exceeds £17,500 but does not exceed £26,500, he receives an amount equal to $M - A$ where—

M is £2,700

A is £1 for every complete £6 by which the household income exceeds £17,500;

- (c) where the household income exceeds £26,500 but does not exceed £37,425, he receives an amount equal to $RM - A$ where—

RM is £1,200

A is £1 for every complete £9.50 by which the household income exceeds £26,500;

- (d) where the household income exceeds £37,425, no maintenance grant is payable.

CHAPTER 7

SPECIAL SUPPORT GRANTS FOR NEW SYSTEM STUDENTS

Qualifying conditions for the special support grant

50.—(1) A new system student qualifies in accordance with this regulation for a special support grant in connection with his attendance on a designated course to defray the costs of books, equipment, travel or childcare incurred for the purpose of attending that course.

(2) A new system student qualifies for a special support grant if he—

- (a) falls within a prescribed category of person for the purposes of section 124(1)(e) of the Social Security Contributions and Benefits Act 1992(**14**); or

(14) 1992 c. 4. The relevant regulation is regulation 4ZA of the Income Support (General) Regulations 1987 (S.I. 1987/1967). Regulation 4ZA was inserted by S.I. 1996/206, amended by S.I. 2000/1981; there are other amending instruments but none is relevant.

(b) is treated as being liable to make payments in respect of a dwelling prescribed by regulations made under section 130(2) of that Act(15).

(3) If a new system student does not qualify for a fee loan in respect of an academic year of the designated course, he cannot qualify for a special support grant for that year unless the reason that he does not qualify for a fee loan is because—

- (a) the year is an Erasmus year; or
- (b) the designated course is a flexible postgraduate course for the initial training of teachers.

Amount of the special support grant

51.—(1) The maximum amount of special support grant available in respect of an academic year is—

- (a) in the case of a type 1 teacher training student, £1,350;
- (b) in the case of a type 2 teacher training student, £2,700;
- (c) in the case of a new system student other than a type 1 or type 2 teacher training student, £2,700.

(2) A type 1 teacher training student who qualifies for a special support grant in respect of an academic year receives an amount as follows in respect of that year—

- (a) where the household income is £17,500 or less, he receives £1,350;
- (b) where the household income exceeds £17,500 but does not exceed £26,500, he receives an amount equal to

$$M - \left(\frac{A}{2} \right)$$

where—

M is £1,350

A is £1 for every complete £6 by which the household income exceeds £17,500; and

- (c) where the household income exceeds £26,500 or he opts when applying for the grant not to provide the information needed to calculate the household income, he receives £600.

(3) A type 2 teacher training student who qualifies for a special support grant in respect of an academic year receives an amount as follows in respect of that year—

- (a) where the household income is £17,500 or less, he receives £2,700;
- (b) where the household income exceeds £17,500 but does not exceed £26,500, he receives an amount equal to $M - A$ where—

M is £2,700

A is £1 for every complete £6 by which the household income exceeds £17,500; and

- (c) where the household income exceeds £26,500 or he opts when applying for the grant not to provide the information needed to calculate the household income, he receives £1,200.

(4) A new system student other than a type 1 or type 2 teacher training student who qualifies for a special support grant in respect of an academic year receives an amount as follows in respect of that year—

- (a) where the household income is £17,500 or less, he receives £2,700;

(15) The relevant regulation is regulation 48A of the Housing Benefit (General) Regulations 1987 (S.I. 1987/1971). Regulation 48A was inserted by S.I. 1990/1549; relevant amending instruments are S.I. 1992/432, 1995/626, 1996/1510 and 1998/766.

- (b) where the household income exceeds £17,500 but does not exceed £26,500, he receives an amount equal to $M - A$ where—
- M is £2,700
- A is £1 for every complete £6 by which the household income exceeds £17,500;
- (c) where the household income exceeds £26,500 but does not exceed £37,425, he receives an amount equal to $RM - A$ where—
- RM is £1,200
- A is £1 for every complete £9.50 by which the household income exceeds £26,500; and
- (d) where the household income exceeds £37,425, no special support grant is payable.

CHAPTER 8

HIGHER EDUCATION GRANTS FOR OLD SYSTEM STUDENTS

Qualifying conditions for the higher education grant

52.—(1) An old system student qualifies in accordance with this regulation for a higher education grant in connection with his attendance on a designated course to defray the cost of books, equipment, travel or childcare incurred for the purpose of attending that course.

(2) An old system student does not qualify for a higher education grant unless he began the specified designated course on or after 1st September 2004.

(3) If an old system student does not qualify for a grant for fees in respect of an academic year of the designated course, he cannot qualify for a higher education grant for that year unless the reason that he does not qualify for a grant for fees is because—

- (a) the year is an Erasmus year; or
- (b) the designated course is a flexible postgraduate course for the initial training of teachers.

Amount of the higher education grant

53.—(1) The maximum amount of higher education grant available in respect of an academic year is £1,000.

(2) An old system student who qualifies for a higher education grant receives an amount as follows—

- (a) where the household income is £15,970 or less, he receives £1,000;
- (b) where the household income exceeds £15,970 and does not exceed £21,955, he receives an amount equal to $M - A$ where—
- M is £1,000
- A is £1 for every complete £6.30 by which the household income exceeds £15,970; and
- (c) where the household income exceeds £21,955, no higher education grant is payable.