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## STATUTORY INSTRUMENTS

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# 2006 No. 119

## The Education (Student Support) Regulations 2006

PROSPECTIVE

### PART 9

#### PAYMENTS

##### **Payment of grants for living and other costs and loans for living costs – timing of payments**

**81.**—(1) The Secretary of State may pay support under Part 5 or Part 6 in instalments.

(2) Subject to paragraph (3), the Secretary of State may pay support under Part 5 or Part 6 at such times as she considers appropriate.

(3) Where an institution is required to send an attendance confirmation to the Secretary of State, the Secretary of State must not pay the first instalment or, where it has been determined not to pay support under Part 5 or Part 6 by instalments, make any payment of support under Part 5 or Part 6 to the eligible student before she has received that confirmation unless an exception applies.

(4) An exception applies if—

- (a) a disabled students' allowance is payable in which case that particular grant may be paid before the Secretary of State has received an attendance confirmation; or
- (b) the Secretary of State has determined that owing to exceptional circumstances it would be appropriate to make a payment without receiving an attendance confirmation.

(5) An institution is required to send an attendance confirmation to the Secretary of State in respect of an academic year of the current course where the year begins on or after 1st September 2006.

(6) In this regulation, “attendance confirmation” means—

- (a) confirmation from the institution that the student has enrolled for the academic year where—
  - (i) the student is applying for support in connection with a designated course for the first time;
  - (ii) the student has a disability; and
  - (iii) the student is undertaking the course but not attending (regardless of whether the reason for not attending relates to his disability);
- (b) confirmation from the institution that the student has presented himself at the institution and begun to attend the course where—
  - (i) the student is applying for support in connection with a designated course for the first time;
  - (ii) the student has not had his status as an eligible student transferred to the course from another designated course at the same institution; and

**Status:** This version of this provision is prospective.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Education (Student Support) Regulations 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (iii) sub-paragraph (a)(iii) does not apply;
- (c) confirmation from the institution that the student has enrolled for the academic year where—
  - (i) the student is applying for support in connection with a designated course other than for the first time; or
  - (ii) the student is applying for support in connection with a designated course for the first time after having his status as an eligible student transferred to that course from another course at the same institution.

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#### **Commencement Information**

**II** Reg. 81 in force at 1.3.2006, see [reg. 1\(1\)](#)

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**Changes and effects yet to be applied to :**

- Regulations revoked (with savings) by [S.I. 2007/176 reg. 4\(1\)](#)
- reg. 81 coming into force by [S.I. 2006/119 reg. 1\(1\)](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Pt. 6A inserted by [S.I. 2006/955 reg. 36](#)
- sch 3A am by [S.I. 2007/1336 reg 21](#)
- Sch. 3A inserted by [S.I. 2006/955 Sch. 2](#)
- reg. 2(1A) inserted by [S.I. 2007/176 Sch. 1 para. 2](#)
- reg. 27(6) inserted by [S.I. 2006/1745 reg. 4\(2\)](#)
- reg. 37(9)(10) substituted for reg. 37(9) by [S.I. 2007/176 Sch. 1 para. 6](#)