
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Fees and Awards) (England) Regulations 2007 (S.I. 2007/779), the Student Fees (Qualifying Courses and Persons) (England) Regulations 2007 (S.I. 2007/778), as amended, and the Education (Student Support) Regulations 2007 (S.I. 2007/176), as amended (the “SSR 2007”).

Amendments to the Education (Fees and Awards) (England) Regulations 2007 and the Student Fees (Qualifying Courses and Persons) (England) Regulations 2007

These Regulations amend the Education (Fees and Awards) (England) Regulations 2007 (“the fees regulations”) and the Student Fees (Qualifying Courses and Persons) (England) Regulations 2007 (“the QCP regulations”) to enable residence in the overseas territories to be treated as qualifying residence in certain cases (Parts 2 and 3).

These Regulations also amend the fees regulations and the QCP regulations to make clear that students who move from the Islands to the United Kingdom for the purposes of undertaking their course will be treated as ordinarily resident in the Islands.

Amendments to the SSR 2007

The SSR 2007 provide for support for students taking designated higher education courses in respect of an academic year beginning on or after 1st September 2007.

As a result of the transfer of certain student support functions of the Secretary of State to the National Assembly for Wales under the Higher Education Act 2004, students who are ordinarily resident in Wales on the first day of the first academic year of their course do not qualify for support under the SSR 2007.

These Regulations amend the SSR 2007 to make provision for the payment of support to students who are undertaking designated distance learning courses in England. A designated distance learning course is a course which has been designated under the new regulation 109C by the Secretary of State (regulation 19).

The support payable to eligible distance learning students is set out in the new regulations 109E (grant in respect of fees and grant in respect of books, travel and other expenditure) and 109H (disabled distance learning students’ allowance). Disabled distance learning students’ allowance will be paid to students undertaking full-time distance learning courses under the new regulation 109H rather than disabled students’ allowance under regulation 40.

Students previously in receipt of disabled students’ allowance in connection with undertaking but not attending a designated course will have their status as eligible students converted to that of eligible distance learning students in accordance with the new regulation 109M. This provision will also apply to students who were previously determined to be eligible students but who did not qualify for support solely because they were not in attendance on a designated course.

These Regulations make various additional consequential amendments to the SSR 2007 in light of the introduction of the provision of support for eligible distance learning students.

These Regulations also amend regulation 29 of the SSR 2007 to make clear that an old system student attending a course at Guildhall School of Music and Drama or Heythrop College cannot qualify for a grant for fees which exceeds the actual fees payable by him (regulation 13).

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

These Regulations also amend regulation 47 of the SSR 2007 to clarify that an eligible student may qualify for a grant for dependants where the relevant dependant is dependent on him or her and his partner together (regulation 18).

These Regulations also make amendments to the SSR 2007 to correct typographical errors (regulations 21 and 22). Provision is also made to enable certain part-time students to qualify for disabled part-time students' allowance during the course of an academic year (regulation 21).

A full Regulatory Impact Assessment has not been produced for these Regulations as they have no impact on the costs of business.