
STATUTORY INSTRUMENTS

2009 No. 1555

The Education (Student Support) Regulations 2009

PART 4

FEE SUPPORT

CHAPTER 1

GENERAL

Previous course

- 13.**—(1) Subject to the exceptions in paragraphs (4), (5) and (6), a “previous course” is—
- (a) where the current course began before 1st September 2009, any full-time higher education course, a course for the initial training of teachers or a course designated under regulation 6(9), which the student attended or, in the case of a compressed degree course or a designated distance learning course, undertook before the current course and which meets one or both of the conditions in paragraph (2);
 - (b) where the current course begins on or after 1st September 2009—
 - (i) a lower level qualification achieved following a full-time or part-time higher education course, a course for the initial training of teachers or a course designated under regulation 6(9), which the student attended or, in the case of a compressed degree course or a designated distance learning course, undertook before the current course;
 - (ii) a full-time higher education course, a course for the initial training of teachers or a course designated under regulation 6(9), which the student attended, or in the case of a compressed degree course or a designated distance learning course, undertook before the current course where the student studied but did not achieve a qualification and which meets one or both of the conditions in paragraph (3); or
 - (iii) a full-time higher education course, a course for the initial training of teachers or a course designated under regulation 6(9), which the student attended or, in the case of a compressed degree course or a designated distance learning course, undertook before the current course where—
 - (aa) the course meets one or both of the conditions in paragraph (2); and
 - (bb) the student’s status as an eligible student has been transferred to the current course pursuant to regulation 8 from a designated course which began before 1st September 2009.
- (2) The conditions are—
- (a) the course was provided by an institution in the United Kingdom which was publicly funded for some or all of the academic years during which the student attended or undertook the course; or

- (b) any scholarship, exhibition, bursary, grant, allowance or award of any description which was paid in respect of the student's attending or, in the case of a compressed degree course or a designated distance learning course, undertaking the course to defray fees was from public funds or funds attributable to public funds.
- (3) The conditions are—
 - (a) the course was provided at a publicly funded institution whether or not in the United Kingdom for some or all of the academic years during which the student attended or undertook the course; or
 - (b) any scholarship, exhibition, bursary, grant, allowance or award of any description which was paid in respect of the student's attending or, in the case of a compressed degree course or a designated distance learning course, undertaking the course to defray fees was from public funds or funds attributable to public funds.
- (4) A course which would otherwise be a previous course will not be treated as such if—
 - (a) the current course is a course for the initial training of teachers;
 - (b) the duration of the current course does not exceed two years where the current course is—
 - (i) a full-time course; or
 - (ii) a part-time course (the duration of which being expressed as its full-time equivalent) and either the current course—
 - (aa) began before 1st September 2010; or
 - (bb) begins on or after 1st September 2010 where the student transfers to the current course pursuant to regulation 8 from a course for the initial training of teachers beginning before 1st September 2010); and
 - (c) the student is not a qualified teacher.
- (5) A course for the Certificate in Education which would otherwise be a previous course will not be treated as such if—
 - (a) the current course is a course for the degree (including an honours degree) of Bachelor of Education; and
 - (b) the student transferred to the current course from the course for the Certificate in Education before the completion of that course or began the current course on completion of the course for the Certificate in Education.
- (6) A course for the degree (other than an honours degree) of Bachelor of Education will not be treated as a previous course if—
 - (a) the current course is a course for the honours degree of Bachelor of Education; and
 - (b) the student transferred to the current course from the course for the degree (other than an honours degree) of Bachelor of Education before the completion of that course or began the current course on completion of the course for the degree (other than an honours degree) of Bachelor of Education.
- (7) Subject to paragraphs (8), (9) and (10), for the purpose of determining PC in the formulae in regulations 22 and 29—
 - (a) each academic year that the student completed on a previous course is counted; and
 - (b) an academic year of a previous course that the student began or ceased to attend part of the way through the year is counted as one academic year on a previous course.
- (8) For the purpose of determining PC in the formulae in regulations 22 and 29 where the student began the current course before 1st September 2009, an academic year of a previous course is not to be counted as a year spent on a previous course if—

- (a) the student did not qualify for fee support for that year other than because the academic year was a bursary year or an Erasmus year; and
- (b) the student qualified for fee support for some but not all of the other academic years of that previous course.

(9) For the purpose of determining PC in the formulae in regulations 22 and 29, an academic year of a previous course is not to be counted as a year spent on a previous course if it was a year of repeat study that the student was taking for compelling personal reasons or a year in relation to which the student qualified for fee support because the student had failed to complete a previous course for compelling personal reasons.

(10) For the purpose of determining PC in the formulae in regulations 22 and 29, where a student (“A”) transfers from an academic year of one designated course to an academic year of another designated course before the Secretary of State considers that A has completed the year from which A is transferring, the time spent by A during the academic year in which the transfer takes place on the course from which A is transferring is not counted as a year spent on a previous course.

(11) A student (“A”) who undertook a previous course but was not in attendance because A was unable to attend for a reason which related to A’s disability is only treated as having been in attendance on the previous course in respect of periods of study beginning on or after 1st September 2006.