
STATUTORY INSTRUMENTS

2018 No. 137

The Education (Student Fees, Awards and Support) (Amendment) Regulations 2018

PART 2

**AMENDMENT OF THE EDUCATION
(STUDENT SUPPORT) REGULATIONS 2011**

Amendments relating to availability of support to students with previous study

- 4.—(1)** In regulation 19(1) (availability of fee loans to current system students – general)—
- (a) in paragraph (3A), for “(3D)”, substitute “(3E)”;
 - (b) for paragraph (3D), substitute—

“(3D) Paragraphs (3B) and (3C) do not apply if the Secretary of State considers that there are exceptional circumstances.”;
 - (c) after paragraph (3D), insert—

“(3E) Where the Secretary of State considers that there are exceptional circumstances, the Secretary of State may determine that the student should qualify for a fee loan in respect of one or more academic years of the current course, as appropriate, whether or not the student has completed those academic years prior to the Secretary of State making the determination.”;
 - (d) in paragraph (9A), for “(9D)”, substitute “(9E)”;
 - (e) for paragraph (9D), substitute—

“(9D) Paragraphs (9B) and (9C) do not apply if the Secretary of State considers that there are exceptional circumstances.”;
 - (f) after paragraph (9D), insert—

“(9E) Where the Secretary of State considers that there are exceptional circumstances, the Secretary of State may determine that the student should qualify for a fee loan in respect of one or more academic years of the current course, as appropriate, whether or not the student has completed those academic years prior to the Secretary of State making the determination.”.
- (2)** In regulation 69(2) (qualifying conditions for the loan for living costs – current system students)—
- (a) in paragraph (2B), for “(2E)”, substitute “(2F)”;
 - (b) for paragraph (2E), substitute—

(1) Regulation 19 was amended by [S.I. 2013/1728](#), [2014/2765](#), [2015/1951](#) and [2017/114](#).

(2) Regulation 69 was amended by [S.I. 2013/1728](#), [2014/2765](#), [2015/1951](#), [2016/270](#), [2017/114](#) and [2018/136](#).

“(2E) Paragraphs (2C) and (2D) do not apply if the Secretary of State considers that there are exceptional circumstances.”;

(c) after paragraph (2E), insert—

“(2F) Where the Secretary of State considers that there are exceptional circumstances, the Secretary of State may determine that the student should qualify for a loan for living costs in respect of one or more academic years of the current course, as appropriate, whether or not the student has completed those academic years prior to the Secretary of State making the determination.”.

(3) In regulation 141(3) (assistance for part-time courses in respect of courses beginning before 1st September 2012)—

(a) in paragraph (9), for “(12)”, substitute “(12A)”;

(b) for paragraph (12), substitute—

“(12) Paragraphs (10) and (11) do not apply if the Secretary of State considers that there are exceptional circumstances.”;

(c) after paragraph (12), insert—

“(12A) Where the Secretary of State considers that there are exceptional circumstances, the Secretary of State may determine that the student should qualify for support under this regulation in respect of one or more academic years of the current part-time course, as appropriate, whether or not the student has completed those academic years prior to the Secretary of State making the determination.”.

(4) In regulation 144 (fee support for designated part-time courses beginning on or after 1st September 2012)—

(a) in paragraph (9), for “(12)”, substitute “(12A)”;

(b) for paragraph (12), substitute—

“(12) Paragraphs (10) and (11) do not apply if the Secretary of State considers that there are exceptional circumstances.”;

(c) after paragraph (12), insert—

“(12A) Where the Secretary of State considers that there are exceptional circumstances, the Secretary of State may determine that the student should qualify for support under this regulation in respect of one or more academic years of the current part-time course, as appropriate, whether or not the student has completed those academic years prior to the Secretary of State making the determination.”.