
STATUTORY INSTRUMENTS

2019 No. 142

The Education (Student Fees, Awards and Support etc.) (Amendment) Regulations 2019

PART 2

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

Amendment of regulation 47

15.—(1) Regulation 47 (calculations) is amended as follows.

(2) For paragraphs (1), (2) and (3), substitute—

“(1) The amount of adult dependants’ grant payable in respect of an academic year beginning on or after 1st August 2019 is calculated in accordance with paragraphs (1A), (1B), (1C) and (4).

(1A) Subject to paragraph (1C), the amount of adult dependants’ grant payable is an amount equal to—

$$A - \frac{(B+C) - D}{2}$$

Where—

- (i) A is the basic amount mentioned in regulation 44(3);
- (ii) B is the residual income of any adult dependants and the eligible student’s partner for the prior financial year;
- (iii) C is the net income of any dependent child or children for the prior financial year; and
- (iv) D is £8,746.

(1B) Where the residual income of any adult dependants and the eligible student’s partner and the net income of any dependent child or children exceeds £14,759.98, the amount of adult dependants’ grant payable is nil.

(1C) The basic amount of adult dependants’ grant mentioned in paragraph (3) of regulation 44 is payable instead of the amount payable under paragraph (1A) to an eligible student—

- (a) who was in receipt of adult dependants’ grant and parents’ learning allowance in respect of an academic year of a course beginning on or after 1st August 2018 but before 1st August 2019;
- (b) who is undertaking—
 - (i) a subsequent year of the same course in an academic year beginning on or after 1st August 2019 without their participation in that course having been withdrawn or suspended; or

- (ii) a year of a course in an academic year beginning on or after 1st August 2019, without their participation in that course having been withdrawn or suspended, having transferred from the course mentioned in sub-paragraph (a);
- (c) who qualifies for and who is entitled to receive parents' learning allowance in respect of an academic year mentioned in sub-paragraph (b);
- (d) in respect of whom the amount of adult dependants' grant payable under paragraph (1A) after the application of any contribution calculated under Part 8 would, other than by virtue of an increase in the residual income of any adult dependants and the eligible student's partner and the net income of any dependent child or children, be lower than the amount of adult dependants' grant received in the academic year mentioned in sub-paragraph (a); and
- (e) in respect of whom the residual income of any adult dependants and the eligible student's partner and the net income of any dependent child or children is at least £8,746 but does not exceed £12,776.

(2) The amount of childcare grant payable in respect of an academic year beginning on or after 1st August 2019 is calculated in accordance with paragraph (2A), (2C) and (5) where the eligible student has one dependent child only, and in accordance with paragraph (2B), (2C) and (5) where the eligible student has two or more dependent children.

(2A) The amount of childcare grant payable is an amount equal to—

$$A - [(B+C) - D] \times \left[\frac{E}{52} \right]$$

Where—

- (i) A is the basic amount mentioned in paragraph (5)(a) of regulation 45 multiplied by 52;
- (ii) B is the residual income of any adult dependants and the eligible student's partner for the prior financial year;
- (iii) C is the net income of the dependent child for the prior financial year;
- (iv) D is £9,727; and
- (v) E is the number of weeks in respect of which the eligible student applies and qualifies for childcare grant up to a maximum of 52 weeks.

(2B) The amount of childcare grant payable is an amount equal to—

$$A - [(B+C) - D] \times \left[\frac{E}{52} \right]$$

Where—

- (i) A is the basic amount mentioned in paragraph (5)(b) of regulation 45 multiplied by 52;
- (ii) B is the residual income of any adult dependants and the eligible student's partner for the prior financial year;
- (iii) C is the net income of the dependent children for the prior financial year;
- (iv) D is £11,118; and
- (v) E is the number of weeks in respect of which the eligible student applies and qualifies for childcare grant up to a maximum of 52 weeks.

(2C) Where—

- (i) the eligible student has one dependent child only and the residual income of any adult dependants and the eligible student's partner and the net income of the dependent child exceeds £18,531.11, the amount of childcare grant payable is nil;
- (ii) the eligible student has two or more dependent children and the residual income of any adult dependants and the eligible student's partner and the net income of the dependent children exceeds £26,212.03, the amount of childcare grant payable is nil.

(3) The amount of parents' learning allowance payable in respect of an academic year beginning on or after 1st August 2019 is calculated in accordance with paragraphs (3A), (3B) and (3C).

(3A) Subject to paragraph (3C), the amount of parents' learning allowance payable is an amount equal to—

$$A - \frac{(B+C) - D}{2}$$

Where—

- (i) A is the basic amount mentioned in paragraph (2) of regulation 46;
- (ii) B is the residual income of any adult dependants and the eligible student's partner for the prior financial year;
- (iii) C is the net income of the dependent child or children for the prior financial year; and
- (iv) D is £14,910.

(3B) Where the residual income of any adult dependants and the eligible student's partner and the net income of the dependent child or children exceeds £18,341.98, the amount of parents' learning allowance payable is nil.

(3C) The basic amount of parents' learning allowance mentioned in paragraph (2) of regulation 46 is payable instead of the amount payable under paragraph (3A) to an eligible student—

- (a) who was in receipt of parents' learning allowance in respect of an academic year of a course beginning on or after 1st August 2018 but before 1st August 2019;
- (b) who is undertaking—
 - (i) a subsequent year of the same course in an academic year beginning on or after 1st August 2019 without their participation in that course having been withdrawn or suspended; or
 - (ii) a year of a course in an academic year beginning on or after 1st August 2019, without their participation in that course having been withdrawn or suspended, having transferred from the course mentioned in sub-paragraph (a);
- (c) in respect of whom the total amount of parents' learning allowance payable under paragraph (3A) after the application of any contribution calculated under Part 8 would, other than by virtue of an increase in the residual income of any adult dependants and the eligible student's partner and the net income of the dependent child or children, be lower than the amount of parents' learning allowance received under sub-paragraph (a); and
 - (i) who qualifies for and is entitled to receive adult dependants' grant and childcare grant under this Part, who has one dependent child only, and in respect of whom the residual income of any adult dependants and the eligible student's partner and the net income of the dependent child is at least £14,910 but does not exceed £23,154;
 - (ii) who qualifies for and is entitled to receive adult dependants' grant and childcare grant under this Part, who has two or more dependent children, and in respect of whom the residual income of any adult dependants and the eligible student's partner

and the net income of the dependent children is at least £14,910 but does not exceed £30,609;

- (iii) who qualifies for and is entitled to receive childcare grant under this Part, who does not qualify for or is not entitled to receive adult dependants' grant under this Part, who has one dependent child only, and in respect of whom the residual income of any adult dependants and the eligible student's partner and the net income of the dependent child is at least £14,910 but does not exceed £20,147; or
- (iv) who qualifies for and is entitled to receive childcare grant under this Part, who does not qualify for or who is not entitled to receive adult dependants' grant under this Part, who has two or more dependent children, and in respect of whom the residual income of any adult dependants and the eligible student's partner and the net income of the dependent children is at least £14,910 but does not exceed £27,062.”.

(3) In paragraph (4), for “(1)”, substitute “(1A), (1B) and (1C)”.

(4) In paragraph (5), for “(1)”, substitute “(2A) and (2C), or (2B) and (2C)”.

(5) In paragraph (6), for “(1)”, substitute “(3A) and (3B)”.

(6) Omit paragraph (7)(1) and paragraph (7A).

(7) In paragraph (8), omit sub-paragraph (c).

(8) In paragraph (9)—

- (i) after “determining”, omit “the respective values of A and B and”;
- (ii) omit sub-paragraph (c).

(9) In paragraph (11), after “circumstances in the relevant quarter”, omit “as determined under paragraph (9)”.

(1) Paragraphs (7), (7A), (7B), (7C) and (7D) of regulation 47 were substituted by [S.I. 2012/1653](#).