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WELSH STATUTORY INSTRUMENTS

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**2008 No. 3170**

**The Assembly Learning Grants and Loans (Higher Education) (Wales) (No.2) Regulations 2008**

**PART 2**

**ELIGIBILITY**

**Designated courses**

**5.**—(1) Subject to paragraphs (2), (3) and (4), a course is a designated course for the purposes of section 22(1) of the Act and regulation 4 if it is—

- (a) mentioned in Schedule 2;
- (b) one of the following—
  - (i) a full-time course;
  - (ii) a sandwich course; or
  - (iii) a part-time course for the initial training of teachers;
- (c) not a designated distance learning course;
- (d) of at least—
  - (i) one academic year's duration; or
  - (ii) six weeks' duration in the case of a flexible postgraduate course for the initial training of teachers; and
- (e) wholly provided by a publicly-funded educational institution or institutions in the United Kingdom or provided by such an institution or institutions in conjunction with an institution or institutions outside the United Kingdom.

(2) A course falling within paragraph 6 or 7 of Schedule 2 is not a designated course where the governing body of a maintained school has arranged for the provision of such a course to a pupil of the school.

(3) A course that is taken as part of an employment-based teacher training scheme is not a designated course.

(4) Paragraph 1(c) does not apply where the person applying for support in connection with the course is—

- (a) a disabled student; and
- (b) undertaking that course in the United Kingdom but not in attendance because he or she is unable to attend for a reason which relates to his or her disability.

(5) For the purposes of paragraph (1)—

- (a) a course is provided by an institution if it provides the teaching and supervision which comprise the course, whether or not the institution has entered into an agreement with the student to provide the course;

- (b) a university and any constituent college or institution in the nature of a college of a university is regarded as publicly funded if either the university or the constituent college or institution is publicly funded; and
  - (c) an institution is not regarded as publicly funded by reason only that it receives public funds from the governing body of a higher education institution in accordance with section 65(3A) of the Further and Higher Education Act 1992<sup>(1)</sup>.
- (6) A course to which this paragraph applies is considered to be a single course for a first degree or for an equivalent qualification even if—
- (a) the course leads to another degree or qualification being conferred before the degree or equivalent qualification; and
  - (b) part of the course is optional.
- (7) Paragraph (6) applies to a course the standard of which is not higher than a first degree which leads to a qualification as a medical doctor, dentist, veterinary surgeon, architect, landscape architect, landscape designer, landscape manager, town planner or town and country planner.
- (8) For the purposes of section 22 of the Act and regulation 4(1) the Welsh Ministers may designate courses of higher education which are not designated under paragraph (1).

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<sup>(1)</sup> 1992 c. 13; section 65(3A) was inserted by the Teaching and Higher Education Act 1998 (c. 30), section 27.