
WELSH STATUTORY INSTRUMENTS

2009 No. 2737

**The Assembly Learning Grants and Loans
(Higher Education) (Wales) Regulations 2009**

PART 11

SUPPORT FOR FULL-TIME DISTANCE LEARNING COURSES

Support for distance learning courses

- 72.**—(1) For the purposes of this regulation, the support available is—
- (a) a grant in respect of fees not exceeding the lesser of the following amounts—
 - (i) £975; and
 - (ii) the “actual fees”, being the amount of fees charged to the student in respect of an academic year of the designated distance learning course; and
 - (b) a grant not exceeding £1,095 for books, travel and other expenditure in connection with the designated distance learning course.
- (2) An eligible distance learning student does not qualify for support under paragraph (1)(b) if the only paragraph in Part 2 of Schedule 1 into which he or she falls is paragraph 9.
- (3) An eligible distance learning student does not qualify for support under this regulation if—
- (a) he or she is a disabled student; and
 - (b) there has been bestowed on him or her or paid to him or her in connection with the designated distance learning course—
 - (i) a healthcare bursary the amount of which is calculated by reference to his or her income; or
 - (ii) a Scottish healthcare allowance whether or not the amount of such allowance is calculated by reference to his or her income.
- (4) An eligible distance learning student does not qualify for support under this regulation unless the Welsh Ministers consider that he or she is undertaking the designated distance learning course in Wales.
- (5) An eligible distance learning student does not qualify for support under this regulation if he or she has undertaken one or more distance learning courses for eight academic years in aggregate and he or she has received in respect of each of those academic years a loan or a grant of the kind described in paragraph (6).
- (6) The loans and grants are—
- (a) a loan, a grant in respect of fees or a grant for books, travel and other expenditure each made in respect of an academic year of a distance learning course pursuant to regulations made under section 22 of the Act;
 - (b) a loan, a grant in respect of fees or a grant for books, travel and other expenditure each made in respect of an academic year of a distance learning course by the Department for

Employment and Learning (Northern Ireland) pursuant to regulations made under Articles 3 and 8(4) of the Education (Student Support) (Northern Ireland) Order 1998(1); or

- (c) a loan in respect of an academic year of a distance learning course made pursuant to regulations made under sections 73(f), 73B and 74(1) of the Education (Scotland) Act 1980(2).

(7) An eligible distance learning student does not qualify for support under this regulation if he or she holds a first degree from an educational institution in the United Kingdom.

(8) For the purposes of paragraph (7), a degree is not to be treated as a first degree where—

- (a) it is a degree (other than an honours degree) that has been awarded to the eligible distance learning student who has completed the required modules, examinations or other forms of assessment for his or her first degree course; and
- (b) that student is undertaking the present designated distance learning course so as to obtain an honours degree on completion of the required modules, examinations or other forms of assessment (whether or not that student continues the course at the same educational institution after the award of the degree referred to in sub-paragraph (a)).

(1) S.I. 1998/1760 (N.I.14), to which there are amendments not relevant to these Regulations.

(2) 1980 c. 44; section 73(f) was amended by the Teaching and Higher Education Act 1998 (c. 30), section 29(1) and the Education (Graduate Endowment and Student Support) (Scotland) Act 2001 (asp 6), section 3(2). Section 73B was inserted by section 29(2) of the Teaching and Higher Education Act 1998 and was amended by section 34(1) of the Bankruptcy and Diligence etc. (Scotland) Act 2007 (asp 3). The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46).