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WELSH STATUTORY INSTRUMENTS

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**2011 No. 148**

**The Assembly Learning Grants and Loans  
(Higher Education) (Wales) Regulations 2011**

**PART 14**

**AMENDMENT OF THE 2009 REGULATIONS**

**Amendment of the 2009 Regulations**

**124.** In relation to an academic year beginning on 1 April 2011 or 1 July 2011, the 2009 Regulations are amended in accordance with the following regulations.

**125.** In regulation 2(1)—

- (a) for the definition of “bursary year” (*“blwyddyn bwrsari”*), substitute—  
““bursary year” (*“blwyddyn bwrsari”*) means an academic year of a course in relation to which the student is eligible to apply for a healthcare bursary or a Scottish healthcare allowance, the amount of which is calculated by reference to that student’s income whether or not the calculation results in a nil amount;”;
- (b) in the definition of “Erasmus year” (*“blwyddyn Erasmus”*), for “and all the periods of study during the academic year are at an institution outside the United Kingdom”, substitute—  
“and—
  - (a) all the periods of study during the academic year are attended at an institution outside the United Kingdom; or
  - (b) all the periods of work placement during the academic year are attended at a workplace outside the United Kingdom;”;
- (c) in the definition of “ordinary duration” (*“cyfnod arferol”*), omit “excluding any academic years of the course that are bursary years or Erasmus years”; and
- (d) omit the definition of “standard academic year” (*“blwyddyn academaidd safonol”*).

**126.** In regulation 2(7)(a)(i), after “teachers” insert “or an academic year of a designated course that is an Erasmus year”.

**127.** For regulation 5(1)(b)(iii), substitute—

- “(iii) a course for the initial training of teachers which—
  - (aa) began before 1 September 2010;
  - (bb) begins on or after 1 September 2010 where the student transfers to the present course pursuant to regulation 8 from a course for the initial training of teachers which began before 1 September 2010; or
  - (cc) begins on or after 1 September 2010 but before 1 September 2011 and in relation to which the student is a 2010 gap year student;”.

**128.** In regulation 7(5)(a), after “social worker” insert “, medical doctor, dentist, veterinary surgeon or architect”.

**129.** Omit regulation 7(6).

**130.—**(1) For regulation 24(6)(e)(iv), substitute—

“(iv) a Regional Health and Social Care Board or the Regional Agency for Public Health and Social Well-being established under sections 7 and 12 of the Health and Social Care (Reform) Act (Northern Ireland) 2009<sup>(1)</sup>

(2) At the end of regulation 24(15)(b), omit the full stop and insert—

“;

(c) a student on a period of study or a period of work placement in an Erasmus year.”.

**131.—**(1) In regulation 32(2), for “or the Institute” substitute “, the Institute or an overseas work placement in an Erasmus year”.

(2) In regulation 33(3)(a) for “or the Institute” substitute “, the Institute or overseas work placement in an Erasmus year (“the placement” in this paragraph)”.

(3) In regulation 33(3)(b), for “or the Institute” substitute “, the Institute or placement”.

(4) In regulation 33(3)(c), for “or the Institute” substitute “, the Institute or placement”.

(5) In regulation 35(a), for “or period of study” substitute “, period of study or period of overseas work placement in an Erasmus year”.

(6) In regulation 35(b), for “or the Institute” substitute “, the Institute or an overseas work placement in an Erasmus year”.

**132.—**(1) In regulation 43(8)(a), omit “and”.

(2) At the end of regulation 43(8)(b), omit the full stop and insert—

“; and

(c) a student on a period of study or a period of work placement in an Erasmus year.”.

**133.** In regulation 56(1)(c), after “institution” insert “or attending an overseas work placement in an Erasmus year”.

**134.** Omit—

(a) regulation 60(2); and

(b) regulation 60(13).

**135.** In regulation 109(4)(a)(v), omit “by the General Social Care Council”.

**136.** In paragraph 1(1) in Schedule 1, in the definition of “family member”, for sub-paragraph (a) (ii) substitute—

“(ii) direct descendants of the person or of the person’s spouse or civil partner who are—

(aa) under the age of 21; or

(bb) dependants of the person or the person’s spouse or civil partner; or”.

**137.—**(1) In sub-paragraph (3) of paragraph 5 of Schedule 5—

(a) immediately before “Where the Welsh Ministers” insert “Subject to sub-paragraph (3A)”; and

- (b) after “the current financial year” insert “in this paragraph”.
- (2) After sub-paragraph (3) of paragraph 5 of Schedule 5, insert—
- “(3A) In the event that sub-paragraph (3) or this sub-paragraph was applied in respect of the previous academic year of the present course and the Welsh Ministers are satisfied that the residual income of the parent in the current financial year is likely to be not more than 85 per cent of the sterling value of the parent’s residual income in the preceding financial year the Welsh Ministers must, for the purpose of enabling the eligible student to attend the course without hardship, assess the parent’s residual income for the current financial year.”.
- (3) For sub-paragraph (4) of paragraph 5 of Schedule 5, substitute—
- “(4) In an academic year immediately following one in which the Welsh Ministers have ascertained the residual income of the parent under sub-paragraph (3) or, where applicable, under sub-paragraph (3A) and the Welsh Ministers are satisfied that the residual income of the parent in the current financial year is likely to be more than 85 per cent of the sterling value of the parent’s residual income in the preceding financial year, the Welsh Ministers must ascertain the parent’s residual income for the preceding financial year.”.