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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 4**

**GRANTS AND LOANS FOR FEES**

**CHAPTER 3**

**FEE CONTRIBUTION LOANS AND FEE LOANS**

**General qualifying conditions for fee contribution loans and fee loans**

**20.**—(1) An eligible student qualifies for a fee contribution loan or a fee loan in connection with the student's attendance on a designated course in accordance with this Part provided that the student is not excluded from qualification by the following paragraph, regulation 6 or regulation 7.

(2) An eligible student does not qualify for a fee contribution loan or a fee loan in respect of an academic year if—

- (a) that year is a bursary year or an Erasmus year; or
- (b) the designated course is an old flexible postgraduate course for the initial training of teachers.

**Fee contribution loans (for old system eligible students)**

**21.**—(1) An old system eligible student qualifies for a fee contribution loan in respect of an academic year of a designated course if—

- (a) the old system eligible student qualifies for a grant for fees in respect of that year or would have qualified if the old system eligible student had applied for the grant (even if the amount would have been nil); and
- (b) the designated course is provided by or on behalf of an institution that was publicly funded as at 1 August 2005.

(2) Where an old system eligible student applies for a grant for fees and a fee contribution loan, the amount of the fee contribution loan in respect of an academic year of the designated course is the amount for which the old system eligible student applies not exceeding the amount deducted from the old system eligible student's grant for fees in accordance with regulation 63.

(3) Where the only fee support for which an old system eligible student applies is a fee contribution loan, the amount of that loan in respect of an academic year of the designated course is the amount for which the old system eligible student applies not exceeding £1,345 or, if any of the circumstances in regulation 17(4) apply, £665.

(4) An old system eligible student may apply to borrow an additional amount of fee contribution loan where—

- (a) the Welsh Ministers determine that the maximum amount of fee contribution loan which has been notified to the old system eligible student in relation to an academic year should be increased (including an increase from nil) as a result of a reassessment of the old system eligible student's contribution or otherwise; and
  - (b) the Welsh Ministers consider that the increase in the maximum amount does not result from the old system eligible student —
    - (i) failing to provide information promptly which might affect the old system eligible student's ability to qualify for a fee contribution loan for which the old system eligible student qualifies; or
    - (ii) providing information which is inaccurate in any material particular.
- (5) The additional amount in paragraph (4) is an amount which when added to the amount already applied for does not exceed the increased maximum.
- (6) Where an old system eligible student has applied for a fee contribution loan of less than the maximum amount to which the old system eligible student is entitled in relation to the academic year, the old system eligible student may apply to borrow an additional amount which, when added to the amount already applied for, does not exceed the relevant maximum applicable in the old system eligible student's case.

#### **Fee loans: new system eligible students not qualifying for new fee grant**

**22.**—(1) A new system eligible student qualifies in accordance with this regulation for a loan in respect of the fees payable by the new system eligible student in respect of, or otherwise in connection with the new system eligible student's attendance on a designated course.

(2) The amount of a fee loan in respect of an academic year of a designated course must not exceed the lesser of—

- (a) £3,375 or, where one of the circumstances in paragraph 17(4) applies, £1,680; and
- (b) the fees payable by the student in respect of, or otherwise in connection with, that year.

(3) If the new system eligible student's status as a new system eligible student is transferred from one designated course to another under these Regulations and one of the circumstances in paragraph (4) applies, the new system eligible student may borrow an additional amount by way of fee loan in respect of the academic year of the course to which the new system eligible student transfers.

(4) The circumstances are—

- (a) the fees payable in respect of the academic year of the course to which the new system eligible student transfers exceed the fees payable in respect of the academic year of the course from which the new system eligible student has transferred; and
- (b) the academic year of the course to which the new system eligible student transfers does not begin on a later date than the academic year of the course from which the new system eligible student has transferred.

(5) Where paragraph (4)(a) applies, the additional amount that the new system eligible student may borrow in respect of the academic year to which the new system eligible student transfers must not exceed an amount equal to the fees payable by the new system eligible student in respect of that academic year less the amount of any fee loan the new system eligible student has taken out in respect of the academic year from which the new system eligible student has transferred.

(6) Where paragraph (4)(b) applies, the additional amount that the new system eligible student may borrow in respect of the academic year to which the new system eligible student transfers must not exceed the lesser of—

- (a) £3,375 or, where one of the circumstances in regulation 17(4) applies, £1,680; and

(b) the fees payable by the student in respect of, or otherwise in connection with, that year.

(7) Where a new system eligible student has applied for a fee loan of less than the maximum amount available in relation to an academic year, the new system eligible student may apply to borrow an additional amount which when added to the amount already applied for does not exceed the relevant maximum applicable in the new system eligible student's case.

(8) This regulation does not apply in relation to a student if the student qualifies for a new fee grant and the course is a qualifying designated course.

### **Fee loans: new system eligible students qualifying for new fee grant**

**23.**—(1) A new system eligible student who qualifies for a new fee grant may apply under this regulation for a fee loan in respect of the new system eligible student's attendance on the qualifying designated course.

(2) The maximum amount of fee loan available under this regulation is the lesser of—

- (a) £1,345 or, where any of the circumstances in regulation 17(4) apply, £665; and
- (b) the remainder of the fees payable by the new system eligible student less an amount equal to the new fee grant in respect of or otherwise in connection with that year.

(3) Where the new system eligible student has applied for a fee loan of less than the maximum amount available in relation to an academic year, the new system eligible student may apply to borrow an additional amount which, when added to the amount already applied for, does not exceed that maximum.

(4) If the new system eligible student's status as an eligible student is transferred from a qualifying designated course to another qualifying designated course under these Regulations and one of the circumstances in paragraph (5) applies, the new system eligible student may borrow an additional amount by way of fee loan in respect of the academic year of the course to which the new system eligible student transfers.

(5) The circumstances referred to in paragraph (4) are—

- (a) the fees payable in respect of the academic year of the course to which the new system eligible student transfers exceed the fees payable in respect of the academic year of the course from which the student has transferred; and
- (b) the academic year of the course to which the new system eligible student transfers does not begin on a later date than the academic year of the course from which the new system eligible student has transferred.

(6) Where paragraph (5)(a) applies, the additional amount that the new system eligible student may borrow in respect of the academic year to which the new system eligible student transfers must not exceed an amount equal to the fees payable by the new system eligible student in respect of that academic year less the amount of any fee loan the new system eligible student has taken out and/or any new fee grant that the new system eligible student has received in respect of the academic year from which the new system eligible student has transferred.

(7) Where paragraph (5)(b) applies, the additional amount that the new system eligible student may borrow in respect of the academic year to which the new system eligible student transfers must not exceed the lesser of—

- (a) £3,375 or, where one of the circumstances in regulation 17(4) applies, £1,680; and
- (b) the remainder of fees payable by the new system eligible student less an amount equal to the new fee grant in respect of, or otherwise in connection with, that year.