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WELSH STATUTORY INSTRUMENTS

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**2012 No. 3097**

**The Education (Student Support) (Wales) Regulations 2012**

**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**

**21.**—(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.
- (3) Paragraph (2) does not apply in relation to an accelerated graduate entry course.

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

**22.**—(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 67.

(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 a designated course is—

- (a) the amount for which the old system eligible student applies not exceeding £1,380 or, if any of the circumstances in regulation 17(4) apply, £680, where the course is provided by an institution in Wales, England or Scotland; or

- (b) the amount for which the old system eligible student applies not exceeding £1,425 or, if any of the circumstances in regulation 17(4) apply, £700, where the course is provided by an institution in Northern Ireland.
- (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 in respect of courses beginning before 1 September 2012: new system eligible students not qualifying for a fee grant**

- 23.**—(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 which began before 1 September 2012.
- (2) Unless paragraph (3) applies, the amount of a fee loan in respect of an academic year of a designated course must not exceed the lesser of—
    - (a) £3,465 or, where one of the circumstances in regulation 17(4) applies, £1,725; and
    - (b) the fees payable by the student in respect of, or otherwise in connection with, that year.
  - (3) Where a new system eligible student qualifies for a fee loan under this regulation in respect of a designated course provided by an institution in Northern Ireland, the amount of fee loan in respect of an academic year of the designated course must not exceed the lesser of—
    - (a) £3,575 or, where one of the circumstances in regulation 17(4) applies, £1,780; and
    - (b) the fees payable by the student in respect of, or otherwise in connection with, that year.
  - (4) 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.
  - (5) This regulation does not apply in relation to a student if the student qualifies for a fee grant and the course is a qualifying designated course.
  - (6) This regulation does not apply to a new system eligible student who is a 2012 cohort student.

(7) This regulation does not apply to a new system eligible student who is a 2012 accelerated graduate entry student.

**Fee loans in respect of courses beginning before 1 September 2012: new system eligible students qualifying for a fee grant**

**24.**—(1) A new system eligible student who qualifies for a 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) £1,380 or, where any of the circumstances in regulation 17(4) apply, £680; and
- (b) the remainder of the fees payable by the new system eligible student less an amount equal to the 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.

**New fee loan in respect of courses beginning on or after 1 September 2012**

**25.**—(1) A new system eligible student who is a 2012 cohort student qualifies in accordance with this regulation for a new fee loan in respect of, or otherwise in connection with, the 2012 cohort student's attendance on a designated course provided by a publicly funded institution.

(2) A new fee loan is not available in respect of an academic year if that year is a bursary year or an Erasmus year.

(3) The amount of new fee loan in respect of an academic year of a designated course provided by a publicly funded institution must not exceed the lesser of—

- (a) £3,575 or, where one of the circumstances in regulation 17(4) applies, £1,780; and
- (b) the fees payable by the student in respect of, or otherwise in connection with, that year.

(4) Where a 2012 cohort student has applied for a new fee loan of less than the maximum amount available in relation to an academic year, the 2012 cohort student may apply to borrow an additional amount which, when added to the amount already applied for, does not exceed that maximum.

(5) This regulation does not apply to a 2012 cohort student who qualifies for a new private institution fee loan.

**New private institution fee loan**

**26.**—(1) A new system eligible student who is a 2012 cohort student qualifies in accordance with this regulation for a new private institution fee loan in respect of, or otherwise in connection with, the 2012 cohort student's attendance on a designated course provided by a private institution.

(2) A new private institution fee loan is not available in respect of an academic year if that year is a bursary year or an Erasmus year.

(3) The amount of a new private institution fee loan in respect of an academic year of a designated course provided by a private institution must not exceed the lesser of—

- (a) £6,000 or, where any of the circumstances in regulation 17(4) apply, £3000; and
- (b) the fees payable by the student in respect of, or otherwise in connection with, that year.

(4) Where a new system eligible student has applied for a new private institution 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.

**Accelerated graduate entry fee loan**

27.—(1) A 2012 accelerated graduate entry student qualifies in accordance with this regulation for an accelerated graduate entry fee loan in respect of, or otherwise in connection with, the 2012 accelerated graduate entry student's attendance on a designated course which is an accelerated graduate entry course.

(2) An accelerated graduate entry fee loan is not available in respect of an academic year which is an Erasmus year.

(3) The amount of an accelerated graduate entry fee loan in respect of an academic year of a designated course which is an accelerated graduate entry course must not exceed the lesser of—

(a) £5,535; or

(b) the amount by which the fees payable by the 2012 accelerated graduate entry student exceed £3,465.

(4) Where a 2012 accelerated graduate entry student has applied for an accelerated graduate entry fee loan of less than the maximum amount available in relation to an academic year, the 2012 accelerated graduate entry student may apply to borrow an additional amount which, when added to the amount already applied for, does not exceed that maximum.