
WELSH STATUTORY INSTRUMENTS

2015 No. 54

The Education (Student Support) (Wales) Regulations 2015

PART 2

ELIGIBILITY

Previous study

7.—(1) Subject to paragraphs (3), (4), (6) and (7) an eligible student who has attained an honours degree from an institution in the United Kingdom does not qualify for a fee grant, new fee grant or a fee loan.

(2) Subject to paragraphs (4), (5) and (7) an eligible student (“A” in this paragraph) who starts A’s designated course on or after 1 September 2006 does not qualify for a loan for living costs if A has attained an honours degree from an institution in the United Kingdom.

(3) Paragraph (1) does not apply to an eligible student attending a designated course where—

- (a) the course is a course for the initial training of teachers;
- (b) the duration of the course does not exceed two years where the course is—
 - (i) a full-time course; or
 - (ii) a part-time course (the duration of which being expressed as its full-time equivalent) and either the course—
 - (aa) began before 1 September 2010;
 - (bb) begins on or after 1 September 2010 where the student transfers to the course pursuant to regulation 8 from a course for the initial training of teachers beginning before 1 September 2010; or
 - (cc) began on or after 1 September 2010 but before 1 September 2011 and in relation to which the student is a 2010 gap year student; and

(c) the eligible student is not a qualified teacher.

(4) Where the present course is considered to be a single course because of regulations 5(6) and 5(7) and it leads to an honours degree from an institution in the United Kingdom being conferred on the eligible student before the final degree or equivalent qualifications, the eligible student is not prevented from qualifying for support under these Regulations by virtue of paragraph (1) or (2) in respect of any part of the single course by virtue of having that honours degree.

(5) Paragraph (2) does not apply where—

- (a) the present course leads to qualification as a social worker, medical doctor, dentist, veterinary surgeon or architect;
- (b) the eligible student is to receive any payment under a—
 - (i) healthcare bursary the amount of which is calculated by reference to the student’s income; or

- (ii) Scottish healthcare allowance the amount of which is calculated by reference to the student's income in respect of any academic year of the present course; or
 - (c) the present course is a course for the initial training of teachers which is—
 - (i) a full-time course; or
 - (ii) a part-time course 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 beginning before 1 September 2010; or
 - (cc) began on or after 1 September 2010 but before 1 September 2011 and in relation to which the student is a 2010 gap year student.
- (6) Paragraph (1) does not apply to an eligible student attending a designated course which is an accelerated graduate entry course.
- (7) Paragraphs (1) and (2) do not apply where the Welsh Ministers determine that the following conditions are satisfied in relation to an eligible student—
- (a) the eligible student has provided all information required by the Welsh Ministers relating to an honours degree previously attained by the student from an institution in the United Kingdom;
 - (b) that information is accurate; and
 - (c) the Welsh Ministers have incorrectly provided notification that the eligible student qualifies for a fee grant, new fee grant, fee loan or a loan for living costs in accordance with these Regulations.
- (8) Where paragraph (7) applies an eligible student may qualify for a fee grant, new fee grant, fee loan or a loan for living costs in accordance with paragraphs (9) to (11).
- (9) Subject to paragraph (11), if the Welsh Ministers make the determination under paragraph (7) before the first day of the first academic year of the present course then the eligible student may qualify for a fee grant, new fee grant, fee loan or a loan for living costs in respect of the first academic year of the present course.
- (10) Subject to paragraph (11), if the Welsh Ministers make the determination under paragraph (7) on or after the first day of the first academic year of the present course then the eligible student may qualify for a fee grant, new fee grant, fee loan or a loan for living costs in respect of—
- (a) the academic year of the present course during which the Welsh Ministers make the determination; and
 - (b) an academic year of the present course which the student has completed prior to the Welsh Ministers making the determination.
- (11) An eligible student subject to a determination under paragraph (7) may qualify for a fee grant, new fee grant, fee loan or a loan for living costs otherwise than in accordance with paragraphs (9) and (10), where the Welsh Ministers consider this to be appropriate as a result of the exceptional circumstances of a particular case.