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WELSH STATUTORY INSTRUMENTS

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**2018 No. 191**

**The Education (Student Support) (Wales) Regulations 2018**

**PART 11**

**GRANTS FOR DEPENDANTS**

**CHAPTER 1**

**INTRODUCTION**

**Grants for dependants**

**68.**—(1) The following are grants made available by the Welsh Ministers to an eligible student in respect of costs associated with certain dependants of the student for an academic year—

- (a) an adult dependants grant (see Chapter 2);
- (b) a parents' learning grant (see Chapter 3);
- (c) a childcare grant (see Chapter 4).

(2) In these Regulations, those grants are collectively referred to as “grants for dependants” (“GfDs”).

**Qualifying conditions for grants for dependants**

**69.**—(1) An eligible student qualifies for any particular GfD in respect of an academic year of the present course if the student—

- (a) satisfies the qualifying conditions for that grant,
- (b) does not fall within any of the exceptions in paragraph (2), and
- (c) if the student's present course is a part-time course, the intensity of study of the academic year is at least [<sup>F1</sup>25%].

(2) The exceptions are— *Exception 1* The eligible student is a prisoner, unless—

- (a) the present course is a part-time course, and
- (b) the student enters or is released from prison in the academic year in question.

[<sup>F2</sup>*Exception 2* The only paragraph or paragraphs of Schedule 2 into which the eligible student falls is one or more of [<sup>F3</sup>paragraphs 1(2)(d)(ii), 1(3), 4A(1)(b)(ii), 4A(2)(b)(ii), 6(1), 6A(1), 6A(2)(d)(ii), 6BA, 6BB, 6C, 6D, 7A(c)(ii) or 8A(1)(d)(ii).]]*Exception 3* [<sup>F4</sup>a necessary part of which is a period of study by way of clinical training. ]

*Exception 4* The eligible student is undertaking an academic year of an accelerated graduate entry course, other than the first year of the course. <sup>F5</sup>... *Exception 6* The eligible student is undertaking an academic year of a sandwich course during which the periods of full-time study are in aggregate less than 10 weeks (unless it is a year to which Regulation 44(2) applies). *Exception 7* The person in respect of whom the eligible student is applying—

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**Changes to legislation:** There are currently no known outstanding effects for the The Education (Student Support) (Wales) Regulations 2018, CHAPTER 1. (See end of Document for details)

- (a) is an eligible student, and
- (b) is in receipt of a statutory award.

#### <sup>F6</sup>Exception 8

The present course is a distance learning course and the student (“S”) is not in Wales on the first day of the first academic year of the course.

But this exception does not apply where—

- (a) S is not in Wales on the first day of the first academic year of the course because S, or a close relative of S, is serving as a member of the armed forces outside Wales, or
- (b) S is unable to be in Wales on the first day of the first academic year of the course for a reason related to coronavirus.]

#### Textual Amendments

- F1** Word in reg. 69(1)(c) substituted (22.2.2023) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2023 (S.I. 2023/87), regs. 1(2), **58** (with reg. 2)
- F2** Words in reg. 69(2) substituted (with application in accordance with reg. 2 of the amending S.I.) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) (EU Exit) Regulations 2021 (S.I. 2021/481), regs. 1(2), **124**
- F3** Words in reg. 69(2) substituted (22.2.2023) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2023 (S.I. 2023/87), regs. 1(2), **42** (with reg. 2)
- F4** Words in reg. 69(2) substituted (4.1.2024) by The Education (Student Finance) (Miscellaneous Amendments) (No. 3) (Wales) Regulations 2023 (S.I. 2023/1349), regs. 1(2), **49**
- F5** Words in reg. 69(2) omitted (with application in accordance with reg. 3 of the amending S.I.) by virtue of The Education (Student Finance) (Ukrainian Nationals and Family Members) (Miscellaneous Amendments) (Wales) Regulations 2022 (S.I. 2022/764), regs. 2, **40**
- F6** Words in reg. 69(2) inserted (4.1.2024) by The Education (Student Finance) (Miscellaneous Amendments) (No. 3) (Wales) Regulations 2023 (S.I. 2023/1349), regs. 1(2), **54** (with reg. 2)

#### Interpretation of this Part

**70.**—(1) In this Part—

“adult dependant” (“*oedolyn dibynnol*”) means an adult person—

- (a) who is wholly or mainly financially dependent on the eligible student, or
- (b) who is wholly or mainly financially dependent on both the eligible student and the eligible student's partner together,

but not the eligible student's child, the eligible student's partner (including a partner from whom the eligible student is separated) or the eligible student's former partner;

“current academic year” (“*blwyddyn academiadd gyfredol*”) means the academic year of the present course in respect of which the eligible student is applying for a GfD;

“dependent child” (“*plentyn dibynnol*”) means a child—

- (a) who is wholly or mainly financially dependent on the eligible student, or
- (b) who is wholly or mainly financially dependent on both the eligible student and the eligible student's partner together,

including a child of the eligible student's partner and a child for whom the eligible student has parental responsibility;

“lone parent” (“*rhiant unigol*”) means a person who—

- (a) is a parent of a dependent child, and
  - (b) does not have a partner.
- (2) In this Part, any reference to a person's ("A's") partner means–
- (a) A's spouse or civil partner, or
  - (b) a person ordinarily living with A as if the person were A's spouse or civil partner.
- (3) Any reference in this Part to a person's or persons' income is a reference to that income as calculated in accordance with the appropriate provisions of Schedule 3.

**Status:**

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**Changes to legislation:**

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