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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 5**

**AMOUNT OF GRANT FOR DEPENDANTS PAYABLE**

**Grants for dependants: calculating the amount payable**

77.—(1) The amount of GfD payable to an eligible student in respect of an academic year is calculated by applying the following steps— Step 1 Aggregate—

- (a) the eligible student's household income calculated under Part 2 of Schedule 3,
- (b) if not already taken into account as part of the eligible student's household income, the residual income of the eligible student's adult dependant for the applicable financial year calculated under Chapter 2 of Part 4 of Schedule 3, and
- (c) the net income of the eligible student's dependent children for the applicable financial year calculated under Part 5 of Schedule 3.

Step 2 Deduct the following amounts from the aggregated total calculated under Step 1—

- (a) £6,159, where the eligible student has no dependent children;
- (b) £8,473, where the eligible student is not a lone parent and has one dependent child;
- (c) £9,632, where the eligible student—
  - (i) is not a lone parent and has more than one dependent child, or
  - (ii) is a lone parent and has one dependent child;
- (d) £10,797, where the eligible student is a lone parent and has more than one dependent child.

The result is the net total. Step 3 Add up the maximum amounts of each GfD for which the eligible student qualifies. The result is the aggregated maximums. Step 4

- (a) If the net total under Step 2 is nil or a negative amount, the amount payable is—
  - (i) where the present course is a full-time course, the aggregated maximums arrived at under Step 3;
  - (ii) where the present course is a part-time course, the aggregated maximums arrived at under Step 3 reduced in accordance with paragraph (2).
- (b) If the net total under Step 2 is equal to or exceeds the aggregated maximums arrived at under Step 3, the amount payable is nil.
- (c) If the net total under Step 2 is a positive amount which is less than the aggregated maximums arrived at under Step 3, deduct the net total from the aggregated maximums so as to reduce the amount of GfDs payable in the following order until the net total is extinguished—

*Status: Point in time view as at 12/03/2018.*

*Changes to legislation: There are currently no known outstanding effects for the The Education (Student Support) (Wales) Regulations 2018, CHAPTER 5. (See end of Document for details)*

- (i) first deduct the maximum amount of adult dependants grant for which the eligible student qualifies;
  - (ii) then deduct the maximum amount of childcare grant for which the student qualifies;
  - (iii) finally deduct the maximum amount of parents' learning grant for which the student qualifies.
- (d) Where sub-paragraph (c) of this Step applies, the amount remaining after that reduction is—
- (i) the amount payable where the present course is a full-time course;
  - (ii) the amount to be reduced in accordance with paragraph (2) where the present course is a part-time course.
- (2) If the eligible student's present course is a part-time course, the amount of GfD payable is the amount referred to in paragraph (a)(ii) or (d)(ii) of Step 4 of paragraph (1) multiplied by—
- (a) 50%, where the intensity of study for the current academic year is at least 50% but less than 60%;
  - (b) 60%, where the intensity of study for the current academic year is at least 60% but less than 75%;
  - (c) 75%, where the intensity of study for the current academic year is 75% or more.
- (3) Where the amount of GfD payable as a result of Step 4 of paragraph (1) or, as the case may be, paragraph (2), is an amount of parents' learning grant which is more than £0.01 but less than £50, the amount payable is £50.
- (4) This regulation is subject to regulations 78 and 79.

#### **Amount of adult dependants grant and childcare grant: eligible student's partner is an eligible student**

- 78.** Where, as a result of Step 4 of paragraph (1) of regulation 77 or, as the case may be, paragraph (2) of that regulation, an amount of adult dependants grant and childcare grant is payable to an eligible student, that amount is reduced by one half where—
- (a) the eligible student's partner—
    - (i) is an eligible student, or
    - (ii) is in receipt of a statutory award, and
  - (b) the amount of support payable to the partner—
    - (i) by virtue of the partner being an eligible student, or
    - (ii) under the statutory award
 takes account of the partner's dependants.

#### **Changes in circumstances**

- 79.**—(1) This regulation applies where, in the course of the academic year, any of the following occurs—
- (a) there is a change in the number of the eligible student's dependants;
  - (b) the student becomes or ceases to be a lone parent;
  - (c) the student becomes an eligible student as a result of an event referred to in regulation 81(3).

(2) For the purposes of determining whether an adult dependants grant or parents' learning grant is payable and the amount payable, the Welsh Ministers must determine the following in relation to each relevant quarter—

- (a) how many dependants the eligible student is to be treated as having;
- (b) whether the student is to be treated as a lone parent.

(3) The total amount of GfD payable for the academic year is—

- (a) the aggregate of the amounts of adult dependants grant and parents' learning grant calculated in respect of each relevant quarter under this regulation, plus
- (b) the amount of any childcare grant payable for the academic year.

(4) The amount of adult dependants grant and parents' learning grant payable in respect of a relevant quarter is one third of the amount of that grant which would be payable for the academic year as determined under regulation 77 if the student's circumstances in the relevant quarter had been the same throughout the whole of the academic year.

(5) In this regulation a “relevant quarter” means—

- (a) in the case of an eligible student referred to in paragraph (1)(c), a quarter which begins immediately after the relevant event occurs other than a quarter during which the longest of any vacation occurs;
- (b) otherwise, a quarter other than the quarter during which the longest of any vacation occurs.

**Status:**

Point in time view as at 12/03/2018.

**Changes to legislation:**

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