
WELSH STATUTORY INSTRUMENTS

2018 No. 191

The Education (Student Support) (Wales) Regulations 2018

PART 4

KEY CONCEPTS

CHAPTER 2

ELIGIBILITY

SECTION 2

Period of eligibility

Period of eligibility – general rule

12.—(1) A student's status as an eligible student in connection with a designated course is retained until the end of the student's period of eligibility unless terminated in accordance with regulation 19, 20, 22 or 23.

(2) A student's period of eligibility ends at the end of the academic year in which the student completes the designated course.

(3) But if—

- (a) the designated course is a full-time or sandwich course, and
- (b) regulation 14, 15 or 16 applies to the student,

the student's period of eligibility for the course is restricted to the maximum period of eligibility specified in the applicable regulation for the category of support specified in that regulation.

(4) Where a student's eligibility for support is restricted under regulation 14, 15 or 16 so that the number of academic years in respect of which the category of support specified in the regulation in question is available is less than the ordinary duration of the present course, the category of support so specified is available in respect of the latest academic years of the course.

Part-time courses – no eligibility for years of low intensity study

13. Where an eligible student is undertaking a part-time course, the student is not eligible for support under these Regulations in respect of an academic year where the intensity of study for that year is less than 25% (see paragraph 5 of Schedule 1 for how to calculate the intensity of study for an academic year).

Maximum period of eligibility – tuition fee loans and grants for new students

14.—(1) This regulation applies to an eligible student who—

- (a) is undertaking a full-time or sandwich course, and
- (b) has not undertaken a previous course.

Status: Point in time view as at 31/07/2020.

Changes to legislation: There are currently no known outstanding effects for the The Education (Student Support) (Wales) Regulations 2018, Cross Heading: SECTION 2. (See end of Document for details)

(2) Where this regulation applies, the maximum period of eligibility for a tuition fee loan, a base grant, a maintenance grant [^{F1}or] a grant for travel ^{F2}... is the period calculated as follows—

Ordinary duration of the present course.

Plus

Number of academic years repeated by the eligible student for compelling personal reasons.

Plus

One year.

Textual Amendments

- F1** Word in reg. 14(2) substituted (30.7.2018) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/814\)](#), regs. 1(2), **3(a)**
- F2** Words in reg. 14(2) omitted (30.7.2018) by virtue of [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/814\)](#), regs. 1(2), **3(b)**

Maximum period of eligibility – tuition fee loans and specified grants for students who undertook a previous course

15.—(1) This regulation applies to an eligible student who—

- (a) is undertaking a full-time or sandwich course, and
- (b) has undertaken a previous course.

(2) Where this regulation applies, the maximum period of eligibility for a tuition fee loan, a base grant, a maintenance grant or a grant for travel is the period calculated as follows—

Ordinary duration of the present course.

Plus

Number of academic years repeated by the eligible student for compelling personal reasons.

Plus

One year.

Less

Number of academic years undertaken by the eligible student on the previous course or courses (if the student has undertaken more than one previous course).

But no deduction is to be made if the student is a teacher training student or is undertaking an accelerated graduate entry course.

(3) If the eligible student did not successfully complete the latest previous course for compelling personal reasons—

- (a) one additional year is to be added to the calculation made under paragraph (2), and
- (b) a further additional year may be added if the Welsh Ministers think it appropriate to do so having regard to those reasons.

(4) If the Welsh Ministers determine that regulation 18 applies to a student, they may add one or more additional years to the calculation made under paragraph (2) as they think appropriate.

(5) Where this regulation and regulation 16 apply to an eligible student, the student's maximum period of eligibility for a—

- (a) tuition fee loan,
- (b) base grant,

- (c) maintenance grant, or
- (d) grant for travel.

is to be calculated in accordance with regulation 16.

(6) In paragraph (2), “teacher training student” means a student who is not a qualified teacher undertaking a full-time course for the initial training of teachers the duration of which is no more than 2 years.

Maximum period of eligibility – tuition fee loans and grants for certain continuing students

16.—(1) This regulation applies to—

- (a) an eligible student whose present course is a full-time end-on course (the course in relation to which the present course is an end-on course being referred to in paragraph (2) as the “preliminary course”);
- (b) an eligible student—
 - [^{F3}(i) who has completed a relevant course (the “preliminary course”),]
 - (ii) whose present course is a full-time first degree course (other than a first degree course for the initial training of teachers) that the student did not begin immediately after the preliminary course, and
 - (iii) who has not undertaken a full-time first degree course after the preliminary course and before the present course;
- (c) an eligible student—
 - (i) who has completed a full-time foundation degree course [^{F4}or ordinary degree course] (the “preliminary course”),
 - (ii) whose present course is a full-time honours degree course that the student did not begin immediately after the preliminary course, and
 - (iii) who has not undertaken a full-time first degree course after the preliminary course and before the present course.

(2) Where this regulation applies, the maximum period of eligibility for a tuition fee loan, a base grant, a maintenance grant [^{F5}or], a grant for travel ^{F6}... is the period calculated as follows—

The greater of three years or the ordinary duration of the present course.

Plus

The greater of one year or the ordinary duration minus one year of the preliminary course (or preliminary courses in total if the student completed more than one course which is to be treated as a preliminary course).

Less

Number of academic years undertaken by the eligible student on the preliminary course (or preliminary courses) excluding years repeated by the eligible student for compelling personal reasons.

(3) If the Welsh Ministers determine that regulation 18 applies to a student, they may add one or more additional years to the calculation made under paragraph (2) as they think appropriate.

[^{F7}(4) In paragraph (1)(b)(i), “relevant course” means a full-time course for the—

- (a) Diploma of Higher Education,
- (b) Certificate of Higher Education, or
- (c) Higher National Diploma or Higher National Certificate of either the Business and Technology Education Council or the Scottish Qualification Authority.]

Status: Point in time view as at 31/07/2020.

Changes to legislation: There are currently no known outstanding effects for the The Education (Student Support) (Wales) Regulations 2018, Cross Heading: SECTION 2. (See end of Document for details)

Textual Amendments

- F3** Reg. 16(1)(b)(i) substituted (30.7.2018) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/814\)](#), regs. 1(2), **4(a)**
- F4** Words in reg. 16(1)(c)(i) inserted (30.7.2018) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/814\)](#), regs. 1(2), **4(b)**
- F5** Word in reg. 16(2) substituted (30.7.2018) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/814\)](#), regs. 1(2), **4(c)(i)**
- F6** Words in reg. 16(2) omitted (30.7.2018) by virtue of [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/814\)](#), regs. 1(2), **4(c)(ii)**
- F7** Reg. 16(4) inserted (30.7.2018) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/814\)](#), regs. 1(2), **4(d)**

Maximum period of eligibility – interpretation

17.—(1) For the purposes of regulations 12 and 14 to 16, the “ordinary duration” of a course is the number of academic years ordinarily required to complete it.

(2) For the purposes of calculating—

- (a) a student's maximum period of eligibility under regulation 14(2), 15(2) or 16(2), or
- (b) whether a student's period of eligibility has ended,

any part-year undertaken by the student is to be counted as a whole academic year.

(3) In regulations 14 and 15, “previous course” means a course which—

- (a) is—
 - (i) a full time higher education course, or
 - (ii) a part-time course for the initial training of teachers,
 that the student began to undertake before the present course,
- (b) meets one of the conditions set out in paragraph (4), and
- (c) is not excluded from being a previous course by virtue of paragraph (5), (6) or (7).

(4) The conditions are—

Condition 1

The course is provided by an institution in the United Kingdom which was a recognised educational institution for some or all of the academic years during which the student undertook the course.

Condition 2

The course is one in relation to which—

- (a) a scholarship, exhibition, bursary, grant, allowance or award of any description was paid in respect of the student undertaking the course to defray fees, and
- (b) the payment was provided by a publicly funded institution.

(5) A course which falls within paragraph (3)(a) and (b) is nevertheless not a previous course if—

- (a) the present course is a full-time course for the initial training of teachers of no more than two years duration, and
- (b) the student is not a qualified teacher.

(6) A course for the Certificate in Education which falls within paragraph (3)(a) and (b) is nevertheless not a previous course if—

- (a) the present course is a course for the degree (including an honours degree) of Bachelor of Education, and
 - (b) the student—
 - (i) transferred to the present course from the course for the Certificate in Education before the completion of that course, or
 - (ii) began the present course on completion of the course for the Certificate in Education.
- (7) A course for the degree (other than an honours degree) of Bachelor of Education is not a previous course if—
- (a) the present course is a course for the honours degree of Bachelor of Education, and
 - (b) the student—
 - (i) transferred to the present course from the course for the degree (other than an honours degree) of Bachelor of Education before the completion of that course, or
 - (ii) began the present course on completion of the course for the degree (other than an honours degree) of Bachelor of Education.

Extension of maximum period where student receives incorrect notification

- 18.**—(1) This regulation applies to an eligible student (“P”)—
- (a) whose maximum period of eligibility is to be calculated in accordance with regulation 15 or 16,
 - (b) who has provided all the information required by the Welsh Ministers in relation to—
 - (i) a previous course undertaken by P, and
 - (ii) any qualifications held by P, and
 - (c) who has received a notification from the Welsh Ministers stating an incorrect maximum period of eligibility.
- (2) But this regulation does not apply if the notification is incorrect because the information provided by P was materially inaccurate.

Status:

Point in time view as at 31/07/2020.

Changes to legislation:

There are currently no known outstanding effects for the The Education (Student Support) (Wales) Regulations 2018, Cross Heading: SECTION 2.