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WELSH STATUTORY INSTRUMENTS

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**2018 No. 191**

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

**PART 6**

**TUITION FEE LOANS**

**Tuition fee loan**

**38.** A tuition fee loan is a loan made available by the Welsh Ministers to an eligible student for the payment of tuition fees in respect of an academic year.

**Qualifying conditions for tuition fee loan**

**39.** An eligible student qualifies for a tuition fee loan in respect of an academic year of the present course unless one of the following exceptions applies—

*Exception 1*

Where the present course is not an accelerated graduate entry course, the academic year is an Erasmus year of a course provided by an institution in Northern Ireland.

*Exception 2*

Where the present course is not an accelerated graduate entry course, the academic year is a year in respect of which a student is eligible to apply for—

- (a) a healthcare bursary, or
- (b) a Scottish healthcare allowance,

calculated by reference to the student's income (whether or not the calculation results in a nil amount).

*Exception 3*

Where the present course is a part-time course or an accelerated graduate entry course, the academic year is an Erasmus year of the course provided by an institution anywhere in the United Kingdom.

*Exception 4*

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

But this Exception does not apply where—

- (a) the student (“S”) or a close relative of S is a member of the armed forces,
- (b) S is not in Wales on the first day of the first academic year, and
- (c) S is not in Wales on that day because S or the close relative is serving as a member of the armed forces outside Wales.

*Status: Point in time view as at 01/08/2018.*

*Changes to legislation: There are currently no known outstanding effects for the The Education (Student Support) (Wales) Regulations 2018, PART 6. (See end of Document for details)*

### Amount of tuition fee loan

40.—(1) An amount of tuition fee loan in respect of an academic year may not exceed the lower of—

- (a) the tuition fees payable by the eligible student in respect of that year, or
  - (b) the maximum loan amount.
- (2) The maximum loan amount is calculated in accordance with Table 2 where—
- (a) Column 1 specifies the academic year in relation to which the maximum loan amounts in Column 5 are payable;
  - (b) Column 2 specifies the category of student to whom the maximum loan amounts in Column 5 apply (see paragraph (3));
  - (c) Column 3 specifies the type of course provider, where—
    - (i) “ordinary provider” means a provider falling within Condition 4 of Regulation 6(1);
    - (ii) “private institution” means an institution, which is not a recognised educational institution, providing a course specified as a designated course by the Welsh Ministers under regulation 8;
  - (d) Column 4 specifies the location of the institution providing the course;
  - (e) Column 5 specifies the maximum loan amount applicable in respect of the corresponding entries in Columns 1, 2, 3 and 4.
- (3) The categories of students set out in Column 2 are—

#### *Category 1*

An eligible student undertaking a designated course who does not fall within Category 2, 3, 4 [<sup>F1</sup>, 5 or 6].

#### *Category 2*

An eligible student undertaking the final academic year of a full-time course which ordinarily requires attendance of less than 15 weeks in order to be completed.

#### *Category 3*

An eligible student undertaking an academic year of a sandwich course provided by an institution in the United Kingdom where—

- (a) the periods of full-time study undertaken at the institution during that academic year are in aggregate less than 10 weeks, or
- (b) the periods spent undertaking the course during that academic year and any previous academic years (which are not periods of full-time study at the institution), disregarding intervening vacations, are in aggregate more than 30 weeks.

#### *Category 4*

An eligible student undertaking an academic year of a course provided by an institution in the United Kingdom in conjunction with an institution which is outside the United Kingdom where—

- (a) the periods of full-time study undertaken at the institution in the United Kingdom during that academic year are in aggregate less than 10 weeks, or
- (b) the periods spent undertaking the course during that academic year and any previous academic years (which are not periods of full-time study at the institution in the United Kingdom), disregarding intervening vacations, are in aggregate more than 30 weeks.

F2 ...

**Category 5**

An eligible student undertaking an accelerated graduate entry course.

**[<sup>F3</sup>Category 6**

An eligible student undertaking an Erasmus year of a full-time course provided by an institution in England, Scotland or Wales.]

**Table 2**

<i>Column 1</i> <i>Academic year</i>	<i>Column 2</i> <i>Category of student</i>	<i>Column 3</i> <i>Course provider type</i>	<i>Column 4</i> <i>Location of course provider</i>	<i>Column 5</i> <i>Maximum loan amount</i>
Beginning on or after 1 September 2018	1	Ordinary provider	Wales	£9,000 for a full-time course £2,625 for a part-time course
			Elsewhere in UK	£9,250 for a full-time course £6,935 for a part-time course
		Private institution	Wales	£6,165 for a full-time course £2,625 for a part-time course
			Elsewhere in UK	£6,165 for a full-time course £4,625 for a part-time course
	2	Ordinary provider	Wales	£4,500
			Elsewhere in UK	£4,625
		Private institution	Wales and Elsewhere in UK	£3,080
	3	Ordinary provider	Wales	£1,800
England			£1,850	
Scotland and Northern Ireland			£4,625	
Private institution		Wales and England	£1,230	
		Scotland and Northern Ireland	£3,080	
4	Ordinary provider	Wales	£1,350	

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<i>Column 1</i> <i>Academic year</i>	<i>Column 2</i> <i>Category of student</i>	<i>Column 3</i> <i>Course provider type</i>	<i>Column 4</i> <i>Location of course provider</i>	<i>Column 5</i> <i>Maximum loan amount</i>
			England F4 ...	£1,385
			[ <sup>F5</sup> Scotland and] Northern Ireland	£4,625
		Private institution	Wales, England and Scotland	£920
			Northern Ireland	£3,080
	5	Ordinary provider	Wales and Elsewhere in UK	£5,535
[ <sup>F6</sup> Beginning on or after 1 September 2018	6	Ordinary provider	Wales	£1,350
			England and Scotland	£1,385]

#### Textual Amendments

- F1** Words in reg. 40(3) substituted (30.7.2018) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/814\)](#), regs. 1(2), **8(a)(i)**
- F2** Words in reg. 40(3) omitted (30.7.2018) by virtue of [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/814\)](#), regs. 1(2), **8(a)(ii)**
- F3** Words in reg. 40(3) inserted (30.7.2018) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/814\)](#), regs. 1(2), **8(a)(iii)**
- F4** Words in reg. 40 Table 2 omitted (30.7.2018) by virtue of [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/814\)](#), regs. 1(2), **8(b)(i)**
- F5** Words in reg. 40 Table 2 inserted (30.7.2018) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/814\)](#), regs. 1(2), **8(b)(ii)**
- F6** Words in reg. 40 Table 2 inserted (30.7.2018) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/814\)](#), regs. 1(2), **8(b)(iii)**

#### Applying for a fee loan for less than the maximum amount

**41.** An eligible student may apply under regulation 32 to borrow part of the tuition fee loan available in respect of an academic year.

#### Further application for tuition fee loan up to maximum amount

**42.** Where—

- (a) an eligible student applies for part of the tuition fee loan under regulation 41, or

(b) an additional amount of tuition fee loan is made available to an eligible student following a transfer and reassessment made under Section 5 of Chapter 2 of Part 4,  
the student may make a further application under regulation 32 for the remaining balance of the tuition fee loan available in respect of that academic year.

**Status:**

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**Changes to legislation:**

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