
WELSH STATUTORY INSTRUMENTS

2018 No. 191

The Education (Student Support) (Wales) Regulations 2018

PART 7

BASE GRANT AND MAINTENANCE GRANT

CHAPTER 1

QUALIFYING CONDITIONS

Base grant and maintenance grant

43. —A base grant and maintenance grant are grants made available by the Welsh Ministers to an eligible student in respect of the student's living and study costs.

Qualifying conditions for base grant and maintenance grant

44.—(1) An eligible student qualifies for a base grant and a maintenance grant in respect of an academic year of the present course unless the eligible student falls within one of the following exceptions— *Exception 1* The eligible student is a prisoner, unless—

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

Exception 2 The eligible student is a Category 6 eligible student by virtue only of paragraph 6(1) of Schedule 2 and does not fall within any of the other categories of eligible student specified in that Schedule. *Exception 3* The academic year is a year in respect of which the 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 4 The present course is an accelerated graduate entry course. *Exception 5* 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.

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 paragraph (2) applies).

(2) This paragraph applies to an academic year of a sandwich course if, as part of the course, the eligible student undertakes—

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- (a) a period of work experience with a body in the United Kingdom specified in paragraph (3), or
- (b) unpaid research—
 - (i) in an institution in the United Kingdom, or
 - (ii) outside the United Kingdom if the eligible student is attending an institution outside the United Kingdom as part of the course.
- (3) The bodies referred to in paragraph (2)(a) are—
 - (a) a hospital;
 - (b) a public health service laboratory;
 - (c) a local authority or voluntary organisation exercising a function or carrying out activities relating to the care of children and young persons, health or welfare;
 - (d) a body providing prison or probation services in the United Kingdom;
 - (e) a health body listed in paragraph (4).
- (4) The health bodies are—
 - (a) a Special Health Authority established under section 28 of the National Health Service Act 2006 ^{M1} or section 22 of the National Health Service (Wales) Act 2006 ^{M2};
 - (b) an NHS trust established under section 25 of the National Health Service Act 2006 or section 18 of the National Health Service (Wales) Act 2006;
 - (c) an NHS foundation trust;
 - (d) a Local Health Board established under section 11 of the National Health Service (Wales) Act 2006;
 - (e) a Health Board or Special Health Board constituted under section 2 of the National Health Service (Scotland) Act 1978 ^{M3};
 - (f) the Regional Health and Social Care Board established under section 7 of the Health and Social Care (Reform) Act (Northern Ireland) 2009 ^{M4};
 - (g) the Regional Agency for Public Health and Social Well-being established under section 12 of that Act;
 - (h) a health and social care trust (formerly called a health and social services trust) established under the Health and Personal Social Services (Northern Ireland) Order 1991 ^{M5};
 - (i) a special health and social care agency (formerly called a special health and social services agency) established under the Health and Personal Social Services (Special Agencies) (Northern Ireland) Order 1990 ^{M6};
 - (j) the National Health Service Commissioning Board established under section 1H of the National Health Service Act 2006 or a clinical commissioning group established under section 11 of that Act ^{M7};
 - (k) the National Institute for Health and Care Excellence established under section 232 of the Health and Social Care Act 2012 ^{M8};
 - (l) the Health and Social Care Information Centre established under section 252 of that Act.

Marginal Citations

M1 2006 c. 41

M2 2006 c. 42

M3 1978 c. 29

- M4** 2009 c. 1 (N.I.)
- M5** 1991/194 (N.I. 1)
- M6** 1990/247 (N.I. 3)
- M7** 2006 c. 41; section 1H and section 11 were inserted by the Health and Social Care Act 2012 (c. 7), sections 9 and 10
- M8** 2012 c. 7

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