
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.

[^{F1}Exception 2 The only paragraph or paragraphs of Schedule 2 into which the eligible student falls is one or more of [^{F2}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 [^{F3}The academic year is a year in respect of which the student is eligible to apply for a healthcare bursary 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.

[^{F4}Exception 5 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.]

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).

Status: Point in time view as at 04/01/2024.

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)

- (2) This paragraph applies to an academic year of a sandwich course if, as part of the course, the eligible student undertakes—
- (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) [^{F5}NHS England, the body corporate] established under section 1H of the National Health Service Act 2006 or [^{F6}an integrated care board established under Chapter A3 of Part 2 of that Act];
 - (k) the National Institute for Health and Care Excellence established under section 232 of the Health and Social Care Act 2012 ^{M7};
- ^{F7}(l)

Textual Amendments

- F1** Words in [reg. 44\(1\)](#) 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\(2\)](#), **121**
- F2** Words in [reg. 44\(1\)](#) substituted (22.2.2023) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2023 \(S.I. 2023/87\)](#), [regs. 1\(2\)](#), **39** (with [reg. 2](#))
- F3** Words in [reg. 44\(1\)](#) substituted (4.1.2024) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(No. 3\) \(Wales\) Regulations 2023 \(S.I. 2023/1349\)](#), [regs. 1\(2\)](#), **45**
- F4** Words in [reg. 44](#) substituted (with application in accordance with [reg. 1\(2\)](#) of the amending S.I.) by [The Education \(Student Support\) \(Miscellaneous Amendments\) \(Wales\) \(No. 2\) Regulations 2020 \(S.I. 2020/708\)](#), [regs. 1\(2\)](#), **7**
- F5** Words in [reg. 44\(4\)\(j\)](#) substituted (6.11.2023) by [The Health and Care Act 2022 \(Further Consequential Amendments\) \(No. 2\) Regulations 2023 \(S.I. 2023/1071\)](#), [regs. 1\(1\)](#), **96(2)**
- F6** Words in [reg. 44\(4\)\(j\)](#) substituted (1.7.2022) by [The Health and Care Act 2022 \(Consequential and Related Amendments and Transitional Provisions\) Regulations 2022 \(S.I. 2022/634\)](#), [regs. 1\(2\)](#), **93(2)**
- F7** [Reg. 44\(4\)\(l\)](#) omitted (1.2.2023) by virtue of [The Health and Social Care Information Centre \(Transfer of Functions, Abolition and Transitional Provisions\) Regulations 2023 \(S.I. 2023/98\)](#), [reg. 1\(2\)](#), **Sch. para. 57** (with [reg. 3](#))

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** 2012 c. 7

Status:

Point in time view as at 04/01/2024.

Changes to legislation:

There are currently no known outstanding effects for the The Education (Student Support) (Wales) Regulations 2018, CHAPTER 1.