
WELSH STATUTORY INSTRUMENTS

2018 No. 191

The Education (Student Support) (Wales) Regulations 2018

PART 8

MAINTENANCE LOAN

Maintenance loan

53. A maintenance loan is a loan made available by the Welsh Ministers to an eligible student in respect of living costs for an academic year.

Qualifying conditions for a maintenance loan

54. An eligible student qualifies for a maintenance loan in respect of an academic year of the present course unless one of the following exceptions applies— 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 eligible student is aged 60 or over on the first day of the first academic year of the present course. *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.

F1
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Textual Amendments

F1 Words in reg. 54 omitted (30.7.2018) by virtue of [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2018 \(S.I. 2018/814\)](#), regs. 1(2), **10**

Amount of maintenance loan: full-time students

55.—(1) Where an eligible student's present course is a full-time course (a “full-time student”), the amount of maintenance loan payable to the student is calculated as follows— Maximum amount of maintenance loan available to the student in respect of an academic year. *Minus* Amount of maintenance grant payable to the student under regulation 46.

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Changes to legislation: There are currently no known outstanding effects for the The Education (Student Support) (Wales) Regulations 2018, PART 8. (See end of Document for details)

(2) Table 7 sets out the maximum amounts of maintenance loan available in respect of a full-time student where—

- (a) Column 1 specifies the academic year in relation to which the amounts of maintenance loan specified in Column 4 apply;
- (b) Column 2 specifies the category of student to whom the maximum amounts in Column 4 apply;
- (c) Column 3 specifies the location in which the student is living (see paragraph 3 of Schedule 1);
- (d) Column 4 specifies the maximum amount of loan available in respect of the corresponding entries in Columns 1, 2 and 3.

(3) For the purposes of this regulation the categories of student are— *Category 1* An eligible student undertaking—

- (a) an academic year of a designated course, or
- (b) the first year of an accelerated graduate entry course,

who is not a *Category 2* student. *Category 2* An eligible student undertaking—

- (a) an academic year in respect of which a student is eligible to apply for—
 - (i) a healthcare bursary, or
 - (ii) a Scottish healthcare allowance,

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

- (b) an academic year of a sandwich course during which the periods of full-time study undertaken by the student are in aggregate less than 10 weeks (unless it is a year to which regulation 44(2) applies).

(4) This regulation is subject to regulation 56.

Table 7

| <i>Column 1 Academic year</i> | <i>Column 2 Category of student</i> | <i>Column 3 Location of student</i> | <i>Column 4 Maximum amount of maintenance loan available to full-time student</i> |
|---|-------------------------------------|---|---|
| Beginning on or after 1 September 2018 | Category 1 | Living at home | [^{F2} £6,840] |
| | | Living away from home, studying in London | [^{F3} £10,530] |
| | | Living away from home, studying elsewhere | [^{F4} £8,225] |
| | Category 2 | Living at home | [^{F5} £3,420] |
| | | Living away from home, studying in London | [^{F6} £5,265] |
| Living away from home, studying elsewhere | | [^{F7} £4,110] | |

Textual Amendments

- F2** Sum in [reg. 55 Table 7](#) substituted (with application in accordance with [reg. 1\(3\)\(b\)](#) of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2019 \(S.I. 2019/235\)](#), [regs. 1\(3\)\(a\)](#), **46(a)**
- F3** Sum in [reg. 55 Table 7](#) substituted (with application in accordance with [reg. 1\(3\)\(b\)](#) of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2019 \(S.I. 2019/235\)](#), [regs. 1\(3\)\(a\)](#), **46(b)**
- F4** Sum in [reg. 55 Table 7](#) substituted (with application in accordance with [reg. 1\(3\)\(b\)](#) of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2019 \(S.I. 2019/235\)](#), [regs. 1\(3\)\(a\)](#), **46(c)**
- F5** Sum in [reg. 55 Table 7](#) substituted (with application in accordance with [reg. 1\(3\)\(b\)](#) of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2019 \(S.I. 2019/235\)](#), [regs. 1\(3\)\(a\)](#), **46(d)**
- F6** Sum in [reg. 55 Table 7](#) substituted (with application in accordance with [reg. 1\(3\)\(b\)](#) of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2019 \(S.I. 2019/235\)](#), [regs. 1\(3\)\(a\)](#), **46(e)**
- F7** Sum in [reg. 55 Table 7](#) substituted (with application in accordance with [reg. 1\(3\)\(b\)](#) of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2019 \(S.I. 2019/235\)](#), [regs. 1\(3\)\(a\)](#), **46(f)**

[^{F8}Amount of maintenance loan: full-time students who qualify for special support payment

56.—(1) Where a full-time student qualifies for a special support payment under regulation 50, the amount of maintenance loan payable to the student is calculated in accordance with paragraph (2).

(2) The amount of maintenance loan payable is calculated by applying the following steps—

Step 1

Identify the amount of—

- (a) maintenance grant payable to the student under regulation 46, and
- (b) base grant payable to the student under regulation 45.

Step 2

Identify the amount of base grant and maintenance grant to be treated as a special support payment under regulation 50.

Step 3

Identify the applicable amount of living support for the student by reference to Table 8, where—

- (a) Column 1 specifies the academic year in relation to which the amounts of living support in Column 3 apply;
- (b) Column 2 specifies the location in which the student is living (see paragraph 3 of Schedule 1);
- (c) Column 3 specifies the applicable amounts of living support for the corresponding entries in Columns 1 and 2.

*Status: Point in time view as at 08/03/2019.**Changes to legislation: There are currently no known outstanding effects for the The Education (Student Support) (Wales) Regulations 2018, PART 8. (See end of Document for details)***Table 8**

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|----------------------------|---|--|
| <i>Academic year</i> | <i>Location of student</i> | <i>Applicable amount of living support for special support student</i> |
| Beginning on or after 2018 | Living at home | [^{F9} £7,840] |
| | Living away from home, studying in London | [^{F10} £11,530] |
| | Living away from home, studying elsewhere | [^{F11} £9,225] |

Step 4

Whichever is the greater of—

- (a) the amount identified at Step 3, or
- (b) the amounts of grant identified at Step 1 plus the minimum amount of maintenance loan payable to the student as specified by reference to Table 8A,

is the maximum amount of living support available to the student.

Step 5

Calculate the notional maximum amount of maintenance loan by deducting the amount of special support payment identified at Step 2 from the maximum amount of living support identified at Step 4.

Step 6

Deduct the amount of any maintenance grant payable to the student that is not treated as special support payment from the notional maximum amount of maintenance loan calculated at Step 5.

The result is the amount of maintenance loan payable to the student.

(3) In Table 8A—

- (a) Column 1 specifies the academic year in relation to which the minimum amounts of maintenance loan in Column 3 apply;
- (b) Column 2 specifies the location in which the student is living (see paragraph 3 of Schedule 1);
- (c) Column 3 specifies the minimum amounts of maintenance loan payable for the corresponding entries in Columns 1 and 2.

Table 8A

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|----------------------------|---|---|
| <i>Academic year</i> | <i>Location of student</i> | <i>Minimum amount of maintenance loan payable</i> |
| Beginning on or after 2018 | Living at home | [^{F12} £3,420] |
| | Living away from home, studying in London | [^{F13} £5,265] |

| <i>Column 1</i> | <i>Column 2</i> | <i>Column 3</i> |
|----------------------|---|---|
| <i>Academic year</i> | <i>Location of student</i> | <i>Minimum amount of maintenance loan payable</i> |
| | Living away from home, studying elsewhere | [^{F14} £4,110] |

(4) In this regulation, “living support” is the collective term for special support payment, maintenance grant and maintenance loan.]

Textual Amendments

- F8** Reg. 56 substituted (1.8.2018) by [The Education \(Student Support\) \(Wales\) \(Amendment\) Regulations 2018 \(S.I. 2018/813\)](#), regs. 1(2), **4**
- F9** Sum in [reg. 56 Table 8](#) substituted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2019 \(S.I. 2019/235\)](#), regs. 1(3)(a), **47(a)(i)**
- F10** Sum in [reg. 56 Table 8](#) substituted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2019 \(S.I. 2019/235\)](#), regs. 1(3)(a), **47(a)(ii)**
- F11** Sum in [reg. 56 Table 8](#) substituted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2019 \(S.I. 2019/235\)](#), regs. 1(3)(a), **47(a)(iii)**
- F12** Sum in [reg. 56 Table 8A](#) substituted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2019 \(S.I. 2019/235\)](#), regs. 1(3)(a), **47(b)(i)**
- F13** Sum in [reg. 56 Table 8A](#) substituted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2019 \(S.I. 2019/235\)](#), regs. 1(3)(a), **47(b)(ii)**
- F14** Sum in [reg. 56 Table 8A](#) substituted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2019 \(S.I. 2019/235\)](#), regs. 1(3)(a), **47(b)(iii)**

Increased maintenance loan for full-time students in extended years

57.—(1) Paragraph (2) applies where—

- (a) the present course is a full-time course, and
- (b) an eligible student is required to undertake the course for a period exceeding 30 weeks and 3 days in an academic year.

(2) Where this paragraph applies, the amount of loan payable to the student calculated under regulation 55 or, as the case may be, 56 is increased by the weekly amount specified in Column 3 of Table 9 for each week (or part of a week) that the student is required to undertake the course beyond the period of 30 weeks and 3 days.

(3) Paragraph (4) applies where—

- (a) the present course is a full-time course, and
- (b) an eligible student undertakes the course for a period of 45 weeks or more in any continuous period of 52 weeks.

(4) Where this paragraph applies, the amount of loan payable to the student calculated under regulation 55 or, as the case may be, 56 is increased by the weekly amount specified in Column 3

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of Table 9 for each whole week in the 52 week period during which the student did not undertake the course.

(5) The increase in the amount of maintenance loan payable referred to in paragraph (4) applies in relation to the academic year into which the most weeks of the 52 week period fall.

(6) The maximum amount of maintenance loan payable to an eligible student may be increased under both paragraphs (2) and (4) in relation to the same academic year.

(7) In Table 9—

- (a) Column 1 specifies the academic year in relation to which the maintenance loan is payable;
- (b) Column 2 specifies the location in which the student is living (see paragraph 3 of Schedule 1);
- (c) Column 3 specifies the weekly amount by which the amount of loan payable is to increase in respect of the corresponding entries in Columns 1 and 2.

Table 9

| <i>Column 1 Academic Year</i> | <i>Column 2 Location of student</i> | <i>Column 3 Weekly amount of increase to maintenance loan payable</i> |
|--|---|---|
| Beginning on or after 1 September 2018 | Living at home | [^{F15} £84] |
| | Living away from home, studying in London | [^{F16} £162] |
| | Living away from home, studying elsewhere | [^{F17} £127] |

Textual Amendments

- F15** Sum in [reg. 57](#) Table 9 substituted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2019 \(S.I. 2019/235\)](#), regs. 1(3)(a), [48\(a\)](#)
- F16** Sum in [reg. 57](#) Table 9 substituted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2019 \(S.I. 2019/235\)](#), regs. 1(3)(a), [48\(b\)](#)
- F17** Sum in [reg. 57](#) Table 9 substituted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2019 \(S.I. 2019/235\)](#), regs. 1(3)(a), [48\(c\)](#)

Amount of maintenance loan: part-time students

58.—(1) Where an eligible student's present course is a part-time course (a “part-time student”), the amount of maintenance loan payable to the student is calculated as follows— Maximum amount of maintenance loan available to the student (see Table 10). *Minus* Amount of maintenance grant payable to the student under regulation 47.

(2) In Table 10, Column 1 specifies the academic year in relation to which the maximum amount of maintenance loan in Column 2 is available.

Table 10

| <i>Column 1 Academic year</i> | <i>Column 2 Maximum amount of maintenance loan available to part-time student</i> |
|--|---|
| Beginning on or after 1 September 2018 | [^{F18} £5,815]multiplied by the intensity of study |

[^{F19}(3) This regulation is subject to regulation 58A.]

Textual Amendments

F18 Sum in reg. 58 Table 10 substituted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by The Education (Student Finance) (Miscellaneous Amendments) (Wales) Regulations 2019 (S.I. 2019/235), regs. 1(3)(a), 49

F19 Reg. 58(3) inserted (1.8.2018) by The Education (Student Support) (Wales) (Amendment) Regulations 2018 (S.I. 2018/813), regs. 1(2), 5

[^{F20} Amount of maintenance loan: part-time students who qualify for special support payment

58A.—(1) Where a part-time student qualifies for a special support payment under regulation 50, the amount of maintenance loan payable to the student is calculated in accordance with paragraph (2).

(2) The amount of maintenance loan is calculated by applying the following steps—

Step 1

Identify the amount of base grant and maintenance grant payable to the student which is to be treated as a special support payment under regulation 50.

Step 2

Calculate the applicable amount of living support for the student by reference to Table 10A, where Column 2 of the table specifies the amount of living support that applies in relation to the academic year specified in Column 1.

Table 10A

| <i>Column 1</i> | <i>Column 2</i> |
|----------------------------|--|
| Academic year | Amount of living support for part-time student where special support payable |
| Beginning on or after 2018 | [^{F21} £6,815]multiplied by intensity of study |

Step 3

Deduct the amount of special support payment identified at Step 1 from the applicable amount of living support identified at Step 2.

The result is the amount of maintenance loan payable to the student.

(3) In this regulation, “living support” is the collective term for special support payment, maintenance grant and maintenance loan.

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Textual Amendments

- F20** Reg. 58A inserted (1.8.2018) by [The Education \(Student Support\) \(Wales\) \(Amendment\) Regulations 2018 \(S.I. 2018/813\)](#), regs. 1(2), **6**
- F21** Sum in [reg. 58A Table 10A](#) substituted (with application in accordance with reg. 1(3)(b) of the amending S.I.) by [The Education \(Student Finance\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2019 \(S.I. 2019/235\)](#), regs. 1(3)(a), **50**

Step 1

Identify the amount of base grant and maintenance grant payable to the student which is to be treated as a special support payment under regulation 50.

Step 2

Calculate the applicable amount of living support for the student by reference to Table 10A, where Column 2 of the table specifies the amount of living support that applies in relation to the academic year specified in Column 1.

Table 10A

| <i>Column 1</i> | <i>Column 2</i> |
|----------------------------|--|
| Academic year | Amount of living support for part-time student where special support payable |
| Beginning on or after 2018 | £6,650 multiplied by intensity of study |

Step 3

Deduct the amount of special support payment identified at Step 1 from the applicable amount of living support identified at Step 2.

The result is the amount of maintenance loan payable to the student.

(3) In this regulation, “living support” is the collective term for special support payment, maintenance grant and maintenance loan.]

Applying for maintenance loan for less than the maximum amount

59. An eligible student may apply under regulation 32 to borrow part of the amount of maintenance loan payable to the eligible student in respect of an academic year.

Further application for maintenance loan up to maximum amount

60. Where—

- (a) an eligible student applies for part of the maintenance loan under regulation 59, or
- (b) an additional amount of maintenance 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 maintenance loan payable in respect of that academic year.

Status:

Point in time view as at 08/03/2019.

Changes to legislation:

There are currently no known outstanding effects for the The Education (Student Support) (Wales) Regulations 2018, PART 8.