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WELSH STATUTORY INSTRUMENTS

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**2018 No. 191**

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

**PART 9**

**DISABLED STUDENT'S GRANT**

**Disabled student's grant**

**61.**—(1) A disabled student's grant is a grant made available by the Welsh Ministers to an eligible student with a disability to assist with additional expenditure in respect of living costs which the student is obliged to incur in connection with the present course by reason of the student's disability.

(2) In these Regulations, “disability” is to be construed in accordance with section 6 of the Equality Act 2010.

**Qualifying conditions for disabled student's grant**

**62.**—(1) An eligible student qualifies for a disabled student's grant in respect of an academic year of the present course if—

- (a) the student has a disability, and
- (b) the student does not fall within any of the exceptions in paragraph (2).

(2) The exceptions are—

*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 present course is a full-time course and 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 eligible student is undertaking an academic year of an accelerated graduate entry course, other than the first year of the course.

*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

*Status: Point in time view as at 28/01/2021.*

*Changes to legislation: There are currently no known outstanding effects for the The Education (Student Support) (Wales) Regulations 2018, PART 9. (See end of Document for details)*

- (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 regulation 44(2) applies).

#### Textual Amendments

- F1** Words in [reg. 62](#) 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\(2\), 9](#)

#### Amount of disabled student's grant

**63.**—(1) The amount of disabled student's grant for which a student qualifies in respect of an academic year is the amount—

- (a) which the Welsh Ministers think appropriate, but  
(b) which does not exceed the aggregate amount of the limits applicable in respect of the Cases listed in paragraph (2).

(2) The Cases and limits are— *Case 1* Expenditure required on a non-medical personal helper. Limit of [<sup>F2</sup>£23,258] in respect of an academic year of a full-time course. Limit of [<sup>F3</sup>£17,443] in respect of an academic year of a part-time course. *Case 2* Expenditure required on major items of specialist equipment. Limit of [<sup>F4</sup>£5,849] less the amounts paid as disabled student's grant to the student for the same purpose in any previous academic year of the course. *Case 3* Additional expenditure incurred—

- (a) within the United Kingdom for the purpose of attending an institution, and  
(b) within or outside the United Kingdom for the purpose of attending, as part of the present course, any period of study at an overseas institution (including the University of London Institute in Paris).

Limited to the actual expenditure incurred for this purpose. *Case 4* Any other expenditure including expenditure for a purpose specified in *Case 1* or *2* where the limit applicable to that Case has been reached in respect of the disabled student's grant for the academic year in question. Limit of [<sup>F5</sup>£1,954] in respect of an academic year of a full-time course. Limit of [<sup>F6</sup>£1,465] in respect of an academic year of a part-time course.

#### Textual Amendments

- F2** Sum in [reg. 63\(2\)](#) substituted (with application in accordance with [reg. 1\(2\)](#) of the amending S.I.) by [The Education \(Student Finance\) \(Amounts\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2020 \(S.I. 2020/153\)](#), [reg. 25\(a\)](#)
- F3** Sum in [reg. 63\(2\)](#) substituted (with application in accordance with [reg. 1\(2\)](#) of the amending S.I.) by [The Education \(Student Finance\) \(Amounts\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2020 \(S.I. 2020/153\)](#), [reg. 25\(b\)](#)
- F4** Sum in [reg. 63\(2\)](#) substituted (with application in accordance with [reg. 1\(2\)](#) of the amending S.I.) by [The Education \(Student Finance\) \(Amounts\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2020 \(S.I. 2020/153\)](#), [reg. 25\(c\)](#)
- F5** Sum in [reg. 63\(2\)](#) substituted (with application in accordance with [reg. 1\(2\)](#) of the amending S.I.) by [The Education \(Student Finance\) \(Amounts\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2020 \(S.I. 2020/153\)](#), [reg. 25\(d\)](#)

- F6** Sum in reg. 63(2) substituted (with application in accordance with reg. 1(2) of the amending S.I.) by [The Education \(Student Finance\) \(Amounts\) \(Miscellaneous Amendments\) \(Wales\) Regulations 2020 \(S.I. 2020/153\)](#), **reg. 25(e)**

**Status:**

Point in time view as at 28/01/2021.

**Changes to legislation:**

There are currently no known outstanding effects for the The Education (Student Support) (Wales) Regulations 2018, PART 9.