
WELSH STATUTORY INSTRUMENTS

2018 No. 191

The Education (Student Support) (Wales) Regulations 2018

PART 13

PAYMENTS, OVERPAYMENTS AND RECOVERY

CHAPTER 4

OVERPAYMENTS AND RECOVERY

Recovery of overpayments of grants

90.—(1) The Welsh Ministers must recover any overpayment of a grant unless they think it is not appropriate to do so.

(2) A payment of a grant made before the day on which the course begins in respect of the academic year in question is an overpayment if the eligible student withdraws from the course before that day.

(3) A payment of disabled student's grant is an overpayment if either of the following cases apply — *Case 1* An amount of the grant has been paid for the purpose of assisting with expenditure on major items of specialist equipment but the equipment has not been delivered to the eligible student before the student's period of eligibility ends or is terminated. *Case 2* Payment of an amount of the grant for the purpose of assisting with expenditure on major items of specialist equipment is made after the eligible student's period of eligibility ends or is terminated.

(4) Overpayment of a grant may be recovered by subtracting the overpayment from any grant payable to the eligible student from time to time under these Regulations or any other regulations made by the Welsh Ministers under section 22 of the 1998 Act.

(5) Where—

- (a) there is an overpayment of a disabled student's grant, and
- (b) any amount of the grant was paid for the purpose of assisting with expenditure on major items of specialist equipment,

the Welsh Ministers may accept the return of specialist equipment by way of recovery of all or part of the overpayment.

(6) Paragraphs (4) and (5) do not prevent the Welsh Ministers from recovering an overpayment by any other method available to them.

Status:

Point in time view as at 31/07/2020.

Changes to legislation:

There are currently no known outstanding effects for the The Education (Student Support) (Wales) Regulations 2018, Section 90.