

Statutory Instruments with Clear Reports

03 August 2020

SL(5)576 – The Education (Student Support) (Miscellaneous Amendments) (Wales) (No. 2) Regulations 2020

Procedure: Negative

The Education (Student Support) (Miscellaneous Amendments) (Wales) (No 2) Regulations 2020 ('the Regulations') are made under sections 22 and 42(6) of the Teaching and Higher Education Act 1998 ('the 1998 Act'). Section 22 provides the Welsh Ministers with the power to make regulations authorising or requiring the payment of financial support to students studying courses of higher or further education designated by or under those regulations. This power enables the Welsh Ministers to prescribe, amongst other things, the amount of financial support (grant or loan) and who is eligible to receive such support.

The Regulations amend:

- the Education (Student Support) (Wales) Regulations 2017 ('the 2017 Regulations'); and
- the Education (Student Support) (Wales) Regulations 2018 ('the 2018 Regulations').

These amendments apply to the provision of support to students in relation to academic years which begin on or after 1 August 2020.

The Regulations amend provision in the 2017 Regulations and 2018 Regulations relating to the recovery of overpayments of loans for living costs. The way in which the Welsh Ministers may recover such overpayments no longer depends on whether a student has failed to provide information or has provided inaccurate information. The amended regulation 62 of the 2018 Regulations also enables the Welsh Ministers to require a student to repay an overpayment in accordance with regulations made under section 22 of the 1998 Act.

The Regulations amend also the provision in the 2018 Regulations to allow students to receive or continue receiving support for distance learning courses if coronavirus prevents them starting or continuing their course outside Wales or the UK respectively.

Parent Act: Teaching and Higher Education Act 1998

Date Made: 08 July 2020

Date Laid: 09 July 2020

Coming into force date: 31 July 2020

