
STATUTORY INSTRUMENTS

1999 No. 1494

The Education (Mandatory Awards) Regulations 1999

PART III

PAYMENTS

Withholding and reduction of payments

26.—(1) Without prejudice to regulation 16, in the case of any student who is for the time being in default of any requirement to provide such information as is described in regulation 19, the authority may withhold, in part, any payment due to him in respect of maintenance and calculated or determined in accordance with regulation 18, 20, 21, or 22.

(2) No payment shall be made in respect of fees if—

- (a) before the date on which the fees become payable the student ceases to attend the course, and
- (b) the academic authority has determined or agreed that he will not commence attending again during the year in respect of which the fees are payable, or at all.

(3) In respect of any period—

- (a) after the termination of an award;
- (b) during which a student is excluded from attendance at the course by the academic authority; or
- (c) during which a student is absent from his course without leave,

any payment in respect of maintenance otherwise due in pursuance of the award shall be reduced by the sum mentioned in paragraph (5).

(4) In respect of any other period being—

- (a) a period during which a student is absent from his course (other than a period of not more than 60 days due to illness);
- (b) where an award held in respect of one course is transferred in pursuance of regulation 14 so as to be held in respect of another course, a period during which the student is not required to attend either course (other than the period of a single vacation); or
- (c) a period during which the student is detained in pursuance of an order made by any court,

the authority may reduce any payment in respect of maintenance otherwise due in pursuance of the award by such amount, not exceeding the sum mentioned in paragraph (5), as having regard to all relevant circumstances they consider appropriate.

(5) The sum referred to in paragraphs (3) and (4) is the aggregate of—

- (a) the maintenance grant **calculated** under regulation **18(1)** multiplied by the number of days for which the period in question lasted divided by number of days in respect of which the grant is payable for the year; and

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- (b) such portion of the maintenance grant **calculated** under regulation **18(2)** as the authority consider appropriate.
- (6) In determining the number of days for which the period in question lasted under paragraph (5) the authority shall disregard the first 60 days of any period of absence due to illness.