
STATUTORY INSTRUMENTS

2002 No. 174

EDUCATION, ENGLAND AND WALES

**The Education (Student Support) Regulations
2001 (Amendment) (No. 3) Regulations 2002**

Made - - - - - *31st January 2002*
Laid before Parliament *31st January 2002*
Coming into force - - - *21st February 2002*

The Secretary of State for Education and Skills, in exercise of the powers conferred on the Secretary of State by sections 22, 42(6) and 43(1) of the Teaching and Higher Education Act 1998⁽¹⁾, hereby makes the following Regulations:

1. These Regulations may be cited as the Education (Student Support) Regulations 2001 (Amendment) (No. 3) Regulations 2002 and shall come into force on 21st February 2002.

2. The Education (Student Support) Regulations 2001⁽²⁾ shall be amended in accordance with these Regulations.

3.—(1) For regulation 16(2) there shall be substituted—

“(2) The amount of grant for each week for which a student shall be eligible under paragraph (1) is:

- (a) where the academic year begins in the autumn, for the period of 40 weeks beginning on the first day of the first term of the academic year:
 - (i) for one dependent child, 85 per cent. of the costs of the childcare, subject to a maximum amount of £114.75 per week; or
 - (ii) for two or more dependent children, 85 per cent. of the costs of the childcare, subject to a maximum amount of £170 per week;
- (b) where the academic year begins in the winter, spring or summer, for each week of each term of the academic year and the Christmas and Easter vacations beginning on the first day of the first term of the academic year:
 - (i) for one dependent child, 85 per cent. of the costs of the childcare, subject to a maximum amount of £114.75 per week; or

(1) 1998 c. 30; section 22 was amended by the Learning and Skills Act 2000 (c. 21), section 146.
(2) S.I.2001/951, amended by S.I. 2001/1730 and by S.I. 2001/2355.

- (ii) for two or more dependent children, 85 per cent. of the costs of the childcare, subject to a maximum amount of £170 per week; and
 - (c) for any other week of the academic year to which sub-paragraphs (a) or (b) do not apply including a week of the summer vacation, except each week falling within the period between the end of the course and the end of the academic year in which the course ends:
 - (i) for one dependent child, 70 per cent. of the costs of the childcare, subject to a maximum amount of £94.50 per week; or
 - (ii) for two or more dependent children, 70 per cent. of the costs of the childcare, subject to a maximum amount of £140 per week.”.
4. After regulation 30(2) insert the following paragraph:
- “(2A) For the purposes of paragraph (2)(a) a degree shall not be treated as a first degree where—
- (a) it is a degree (other than an honours degree) that has been awarded to an eligible part-time student who has completed the required modules, examinations or other forms of assessment for his first degree course;
 - (b) the course was undertaken at an educational institution in the United Kingdom; and
 - (c) the eligible part-time student is registered to continue the course at the same educational institution after the award of his degree so as to obtain an honours degree on completion of the required modules, examinations or other forms of assessment.”.

31st January 2002

Margaret Hodge
Minister of State,
Department for Education and Skills

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend regulation 16 and insert a new regulation 30(2A).

Under regulation 16(2) where a student's academic year begins in the autumn he shall be eligible for 85 per cent. of dependants grant for childcare costs for a period of 40 weeks beginning on the first day of the first term of that year.

Where a student's academic year begins in the winter, spring or summer he shall be eligible for 85 per cent. of dependants grant for childcare costs for each week of each term of the year and Christmas and Easter vacations.

For weeks of the academic year that are not covered by the former a student shall be eligible for 70 per cent. of dependants grant for childcare costs, except for any week that falls between the end of his course of study and the end of the academic year in which the course ends.

The new regulation 30(2A) provides that an eligible part-time student will not be ineligible for a loan under regulation 30(2)(a) if he is awarded a first degree which is not an honours degree, that award was made because he completed the required forms of assessment at an educational institution in the United Kingdom, and he is registered to continue that course at the same institution so as to obtain an honours degree.