
WELSH STATUTORY INSTRUMENTS

2011 No. 148

**The Assembly Learning Grants and Loans
(Higher Education) (Wales) Regulations 2011**

PART 2

ELIGIBILITY

Designated courses

5.—(1) Subject to paragraphs (2), (3) and (4), a course is a designated course for the purposes of section 22(1) of the 1998 Act and regulation 4 if it is—

- (a) listed in Schedule 2;
- (b) one of the following—
 - (i) a full-time course;
 - (ii) a sandwich course; or
 - (iii) a course for the initial training of teachers which—
 - (aa) began before 1 September 2010;
 - (bb) begins on or after 1 September 2010 where the student transfers to the present course pursuant to regulation 8 from a course for the initial training of teachers which began before 1 September 2010; or
 - (cc) begins on or after 1 September 2010 but before 1 September 2011 and in relation to which the student is a 2010 gap year student;
- (c) not a designated distance learning course;
- (d) of at least—
 - (i) one academic year's duration; or
 - (ii) six weeks' duration in the case of a flexible postgraduate ITT course; and
- (e) wholly provided by a publicly funded educational institution in the United Kingdom or provided by such an institution in conjunction with an institution outside the United Kingdom.

(2) A course falling within paragraph 7 or 8 of Schedule 2 is not a designated course where the governing body of a maintained school has arranged for the provision of such a course to a pupil of the school.

(3) A course that is taken as part of an employment-based teacher training scheme is not a designated course.

(4) Paragraph 1(c) does not apply where the person applying for support under regulation 9 in connection with the course is—

- (a) a disabled eligible student; and

- (b) undertaking that course in the United Kingdom but not in attendance because the person is unable to attend for a reason which relates to the person's disability.
- (5) For the purposes of paragraph (1)—
 - (a) a course is provided by an institution if it provides the teaching and supervision which comprise the course, whether or not the institution has entered into an agreement with the student to provide the course;
 - (b) a university and any constituent college or institution in the nature of a college of a university is regarded as publicly funded if either the university or the constituent college or institution is publicly funded; and
 - (c) an institution is not regarded as publicly funded by reason only that it receives public funds from the governing body of a higher education institution in accordance with section 65(3A) of the Further and Higher Education Act 1992⁽¹⁾.
- (6) A course to which this paragraph applies is considered to be a single course for a first degree or for an equivalent qualification even if—
 - (a) the course leads to another degree or qualification being conferred before the degree or equivalent qualification; and
 - (b) part of the course is optional.
- (7) Paragraph (6) applies to a course the standard of which is not higher than a first degree which leads to a qualification as a medical doctor, dentist, veterinary surgeon, architect, landscape architect, landscape designer, landscape manager, town planner or town and country planner.
- (8) For the purposes of section 22 of the 1998 Act and regulation 4(1) the Welsh Ministers may designate courses of higher education which are not designated under paragraph (1).

⁽¹⁾ 1992 c. 13; section 65(3A) was inserted by the Teaching and Higher Education Act 1998 (c. 30), section 27.