STATUTORY INSTRUMENTS

2016 No. 238

EDUCATION, ENGLAND

The Further Education Loans (Amendment) Regulations 2016

Made - - - -	*24th February 2016*
Laid before Parliament	*29th February 2016*
Coming into force - -	*1st April 2016*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 22 and 42(6) of the Teaching and Higher Education Act 1998(**1**).

Citation and commencement

1. These Regulations may be cited as the Further Education Loans (Amendment) Regulations 2016 and come into force on 1st April 2016.

Amendment of the Further Education Loans Regulations 2012

2. The Further Education Loans Regulations 2012(**2**) (the "2012 Regulations") are amended in accordance with regulations 3 to 9.

Eligible students

3. In regulation 3 (eligible students) of the 2012 Regulations, for paragraph 3(a) substitute—

"(aa) has reached the age of 24 on the first day of A's designated further education course, where that day is before 1st August 2016;

(a) has reached the age of 19 on the first day of A's designated further education course, where that day is on or after 1st August 2016."

Period of eligibility

4. For regulation 5(3) (period of eligibility) of the 2012 Regulations, substitute—

(**1**) 1998 c.30. Section 22 was amended by the Learning and Skills Act 2000 (c.21) section 146 and Schedule 11, the Income Tax (Earnings and Pensions) Act 2003 (c.1) Schedule 6, the Finance Act 2003 (c.14) section 147, the Higher Education Act 2004 (c.8) sections 42 and 43 and Schedule 7, the Apprenticeships, Skills, Children and Learning Act 2009 (c.22) section 257, the Education Act 2011 (c.21) section 76 and S.I. 2013/1881. See section 43(1) of the 1998 Act for the definition of "prescribed" and "regulations".

(**2**) S.I. 2012/1818, amended by S.I. 2014/290, 2014/1766, 2015/181.

"(3) Subject to the following paragraphs the maximum periods of eligibility are determined by the type of further education course and are as follows—

(a) two years for AS Levels;

(b) two years for A Levels;

(c) two years for an Access to HE Diploma; and

(d) three years for any other type of course."

Students becoming eligible other than prior to the beginning of a designated further education course

5.—(1) In regulation 7 (students becoming eligible other than prior to the beginning of a designated further education course) of the 2012 Regulations, omit paragraph (a).

(2) After regulation 7 insert—

"**Student becoming eligible where a course is designated after the student starts the course**

7A.—(1) A student may only qualify for a loan for a course that is designated after that student starts the course if the course is designated in the academic year in which that student starts the course.

(2) For the purposes of this regulation an "academic year" means the twelve month period starting on 1st August and ending on 31st July."

Requirement to enter into a contract for a fee loan

6. For regulation 13 (requirement to enter into a contract for a fee loan) of the 2012 Regulations, substitute—

"**13.**—(1) To receive a fee loan a student must enter into a contract with the Secretary of State.

(2) Where the Secretary of State requires a contract to be signed by a student, an electronic signature in such form as the Secretary of State may specify satisfies such a requirement."

Standard entitlement of eligible students

7. For regulation 15 (standard entitlement of eligible students) of the 2012 Regulations, substitute —

"**15.**—(1) The standard entitlement of an eligible student for all designated further education courses is a maximum of four loans, but paragraphs (4) to (7) apply where the course in question is an AS Level, A Level or an Access to HE Diploma.

(2) A student taking more than one designated further education course at any one time may qualify for a loan for each course.

(3) In addition to the standard entitlement, if the Secretary of State determines that the eligible student is repeating a further education course because of compelling personal reasons, an eligible student can qualify for further fee loans in respect of any period or periods of repeat study.

(4) An eligible student who wishes to fund one or more AS Levels or A Levels from their standard entitlement may use only one loan to do so.