WELSH STATUTORY INSTRUMENTS

2006 No. 2828 (W.250)

EDUCATION, WALES

The Supply Of Student Support Information To Governing Bodies (Wales) Regulations 2006

Made - - - -	*24 October 2006*
Coming into force - -	*27 October 2006*

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 45 and 47(5) of the Higher Education Act 2004(**1**), makes the following Regulations:

Title, commencement and application

1.—(1) The title of these Regulations is the Supply of Student Support Information to Governing Bodies (Wales) Regulations 2006.

(2) These Regulations come into force on 27 October 2006 and apply in relation to Wales.

Interpretation

2. In these Regulations—

"2004 Act" ("*Deddf 2004*") means the Higher Education Act 2004;

"applicant" ("*ymgeisydd*") means a person who makes a student support application;

"applicant's sponsor" ("*noddwr yr ymgeisydd*") means an applicant's parent, applicant's partner or applicant's parent's partner who is required under the student support scheme(**2**) to provide information in connection with the applicant's student support application;

"governing body" ("*corff llywodraethu*") means a person falling within section 45(2)(a) of the 2004 Act;

"student support application" ("*cais am gymorth i fyfyrwyr*") means an application for support payable under the student support scheme for an academic year commencing on or after 1st September 2007;

"student support authority" ("*awdurdod cymorth i fyfyrwyr*") means—

(a) the National Assembly for Wales;

(b) any authority falling within section 45(7)(e) of the 2004 Act; and

(**1**) 2004 c. 8.
(**2**) Student support scheme is defined in section 45(8) of the Higher Education Act 2004.

(c) any person falling within section 45(7)(f) of the 2004 Act;

"student support information" ("*gwybodaeth ar gyfer cymorth i fyfyrwyr*"), in relation to a student support authority, means any information which the student support authority holds in connection with, or in consequence of, the exercise of any function relating to the operation of the student support scheme.

"student support scheme" ("*cynllun cymorth i fyfyrwyr*") means the provisions of regulations under section 22 of the Teaching and Higher Education Act 1998(**3**); and

Supply of student support information

3.—(1) Subject to regulation 4, a student support authority may supply student support information of a description prescribed in regulation 5 to a governing body for the purposes prescribed in paragraph (2).

(2) The prescribed purposes are the purposes of assisting the governing body—

(a) to determine whether the applicant is eligible for a bursary (or other financial support) offered by that body and if so, the amount of bursary (or other financial support) payable to the applicant; and

(b) to pay to the applicant the amount of bursary (or other financial support) the governing body has determined to be payable to him or her.

Prescribed student support information only to be supplied with consent

4.—(1) A student support authority may supply student support information of the description prescribed in regulation 5(a) or (c) only with the consent of the applicant.

(2) A student support authority may supply student support information of the description prescribed in regulation 5(b) only with the consent of the applicant's sponsor.

Prescribed student support information

5. Student support information is of the prescribed description if it is—

(a) information supplied to a student support authority by the applicant in connection with his or her student support application;

(b) information supplied to a student support authority by the applicant's sponsor in connection with the applicant's student support application;

(c) information which relates to—

(i) the applicant's status as an eligible student, eligible part-time student or eligible postgraduate student for the purposes of the student support scheme;

(ii) the applicant's qualification for financial support payable under the student support scheme;

(iii) the calculation of the amount of financial support payable to the applicant under the student support scheme; or

(iv) the amount of financial support payable to the applicant under the student support scheme.

(**3**) 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 and the Higher Education Act 2004 (c. 8), section 42. Section 42 and section 43 were amended by the Education Act 2002 (c. 32), Schedule 12. The functions of the Secretary of State were transferred to the National Assembly for Wales by section 44 of the Higher Education Act 2004 (Commencement No. 2 and Transitional Provision) (Wales) Order 2005 (S.I.2005/1833 (W.149) (c.79)).