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STATUTORY RULES OF NORTHERN IRELAND

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**1997 No. 456**

**Housing Renovation etc. Grants (Reduction  
of Grant) Regulations (Northern Ireland) 1997**

**Part V**

*Students*

**Interpretation**

**40.** In this Part, unless the context otherwise requires—

“contribution” means any contribution (including one which is not paid) in respect of the income of any other person which the Secretary of State or an education authority takes into account in ascertaining the amount of the student’s grant; or any sums, which in determining the amount of a student’s allowance or bursary in Scotland under the Further and Higher Education (Scotland) Act 1992<sup>(1)</sup>, the Secretary of State or the education authority takes into account being sums which the Secretary of State or the education authority consider that the holder of the allowance or bursary, the holder’s parents and the holder’s spouse can reasonably be expected to contribute towards the holder’s expenses;

“course of study” means any course of study whether or not it is a sandwich course and whether or not a grant is made for undertaking or attending it and for the purposes of this definition a person who has started a course of study shall be treated as attending or undertaking it, as the case may be, until the last day of the course or such earlier date as he abandons it or is dismissed from it;

“education authority” means a government department, an education and library board established under Article 3 of the Education and Libraries (Northern Ireland) Order 1986<sup>(2)</sup>, a local education authority as defined in section 114(1) of the Education Act 1944<sup>(3)</sup> (interpretation), a local education authority as defined in section 123 of the Local Government (Scotland) Act 1973<sup>(4)</sup>, any body which is a research council for the purposes of the Science and Technology Act 1965<sup>(5)</sup> or any analogous government department, authority, board or body of the Channel Islands, Isle of Man, or any other country outside Great Britain;

“full-time course of study” means a course normally involving not less than 15 hours attendance a week in term time for the organised day-time study of a single subject or related subjects;

“full-time student” means a person undertaking a full-time course of study and includes a student on a sandwich course;

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(1) 1992 c. 37; to which there are no relevant amendments  
(2) S.I. 1986/594 (N.I. 3); to which there are no relevant amendments  
(3) 1944 c. 31, as amended by S.I. 1974/595 Article 3(22) Schedule 1 Part I and by S.I. 1977/293, Article 4(1)  
(4) 1973 c. 65; to which there are no relevant amendments  
(5) 1965 c. 4; to which there are no relevant amendments

“grant” means any kind of educational grant or award and includes any scholarship, studentship, exhibition, allowance or bursary but does not include a payment derived from funds made available by the Department of Education for the purpose of assisting students in financial difficulties under Article 50 or 51 of the Education and Libraries (Northern Ireland) Order 1986;

“grant income” means—

- (a) any income by way of a grant;
- (b) any contribution whether or not it is paid;

“last day of the course” means the date on which the last day of the final academic term falls in respect of the course in which the student is enrolled;

“sandwich course” has the meaning assigned to it in regulation 3(1) of the Students Awards (No. 2) Regulations (Northern Ireland) 1996(6);

“student” means a person, other than a person in receipt of a training allowance, who is attending a course of study at an educational establishment; and a person who has started on such a course shall be treated as attending it until the last day of the course or such earlier date as he abandons it or is dismissed from it;

“Year” in relation to a course of study means the period of 12 months beginning on 1st January, 1st April or 1st September according to whether the academic year of the course of study in question begins in the spring, in the summer, or the autumn respectively.

### **Treatment of students**

**41.** These Regulations shall have effect in relation to students subject to the following provisions of this Part.

### **Determination of grant income**

**42.—(1)** The amount of a student’s grant income to be taken into account shall, subject to paragraphs (2) and (3), be the whole of his grant income.

(2) There shall be excluded from a student’s grant income any payment—

- (a) intended to meet tuition fees or examination fees;
- (b) in respect of the student’s disability;
- (c) intended to meet additional expenditure connected with term time residential study away from the student’s educational establishment;
- (d) on account of the student maintaining a home at a place other than that at which he resides during his course;
- (e) on account of any other person but only if that person is residing outside of the United Kingdom and there is no applicable amount in respect of him;
- (f) intended to meet the cost of books and equipment or, in the case of a full-time student, if not so intended an amount equal to £280 towards such costs;
- (g) intended to meet travel expenses incurred as a result of his attendance on the course.

(3) Where in pursuance of an award a student is in receipt of a grant in respect of maintenance under regulation 12(1)(b) of the Students Awards (No. 2) Regulations (Northern Ireland) 1996 (payments by boards) there shall be excluded from his grant income a sum equal to the amount specified in paragraph 7(4) of Schedule 7 to those regulations (requirements) being the amount to be disregarded in respect of travel costs in the particular circumstances of his case.

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(6) [S.R. 1996 No. 298](#); to which there are no relevant amendments

### **Relationship with amounts to be disregarded under Schedule 3**

**43.** No part of a student's grant income shall be disregarded under paragraph 12 of Schedule 3 (sums to be disregarded in the determination of income other than earnings).

### **Other amounts to be disregarded**

**44.** For the purposes of ascertaining income other than grant income and loans treated as income in accordance with regulation 45 (treatment of student loans), any amounts intended for any expenditure specified in regulation 42(2) (determination of grant income), necessary as a result of his attendance on the course shall be disregarded but only if, and to the extent that, the necessary expenditure exceeds or is likely to exceed the amount of the payments on like expenditure excluded under regulation 42(2) or (3).

### **Treatment of student loans**

**45.—**(1) A loan which is made to a student pursuant to arrangements made under Article 3 of the Education (Student Loans) (Northern Ireland) Order 1990<sup>(7)</sup> or section 1 of the Education (Student Loans) Act 1990<sup>(8)</sup> shall be treated as income.

(2) In calculating the weekly amount of the loan to be taken into account as income, the loan shall be apportioned equally between the weeks in the academic year in respect of which the loan is payable, and from the weekly amount so apportioned there shall be disregarded £10.

(3) For the purposes of this regulation a student shall be treated as possessing the maximum of any loan referred to in paragraph (1) which he will be able to acquire in respect of an academic year by taking reasonable steps to do so.

### **Disregard of contribution**

**46.** Where the relevant person or his partner is a student and the income of one is taken into account for the purposes of assessing the amount of the student's grant, an amount equal to the contribution (whether or not the contribution is paid) shall be disregarded in determining the income of the other.

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(7) [S.I. 1990/1506 \(N.I. 11\)](#); to which there are no relevant amendments

(8) [1990 c. 6](#); to which there are no relevant amendments