
STATUTORY RULES OF NORTHERN IRELAND

1997 No. 361

Students Awards Regulations (Northern Ireland) 1997

Part III

Amount of Awards

Reduced entitlement to payments

19.—(1) In respect of any period during which the student repeats any part of his course, the board shall not be required to make any payments under regulation 12(1)(a) or (b) but may pay in pursuance of the award such amounts (if any) as it considers appropriate, being amounts not exceeding the amount of any payments that would, apart from this regulation, be payable to that student in respect of that period.

(2) Paragraph (3) shall apply in the case of a student who—

(a) has previously attended a course of higher education being—

- (i) in the case of a specified course, a course of up to two academic years' duration; or
- (ii) in the case of a course other than a specified course, a course of two academic years' duration; or

(b) has previously successfully completed a part-time course corresponding to such a course as is mentioned in sub-paragraph (a) (“the previous course”) and who holds an award made in respect of a course of initial teacher training or a course listed in paragraph 1 or 5 of Schedule 3, being a course of more than one year’s duration (“the current course”).

(3) A board shall only be required to make payments under regulation 12(1)(a) or (b) in pursuance of an award in respect of the current course where—

- (a) that course is not more than two years' duration, in respect of the final year of the student’s course;
- (b) that course is of a greater number of years' duration, in respect of that number less two of the final years of the student’s course,

but, in respect of any other year of the student’s current course it may make such payments as it considers appropriate, not exceeding those payments which would, apart from this regulation, have been payable under regulation 12(1)(a) or (b).

(4) In paragraphs (2) and (3) any reference—

- (a) to the duration of a course is a reference to the period ordinarily required for its completion by a student who is not excused part of the course on account of his having attended a previous course, in the case of a sandwich course ignoring any periods of experience;
- (b) to the final year or years of a student’s course is in the case of a student so excused part of the course, a reference thereto after taking account of the consequential reduction in the duration of his course;
- (c) to a person’s having attended a course shall be construed as provided in regulation 9(1).

- (5) Where the board makes an award to a person during a year because he has become—
- (a) a European student as a result of the accession of the State of which he is a national to the European Community; or
 - (b) a refugee, or the spouse or child of a refugee, as a result of the recognition of him, or his spouse or parent, as a refugee,

it shall deduct from the sums and grant payable in respect of that year in pursuance of the award under regulation 12 the amounts referred to in paragraph (6).

- (6) The amounts to be deducted under paragraph (5) are—
- (a) from the sum payable in respect of fees under regulation 12(1)(a) the amount of any instalment payable before the date on which the student became a European student or the refugee was recognised as a refugee; and
 - (b) from the sum or grant payable in respect of maintenance under regulation 12(1)(b) the proportion of that sum or grant which relates to the period before the date referred to in sub-paragraph (a).

(7) Where an award has been transferred by the board under paragraph 1(1)(a) or (b) of Schedule 4 and—

- (a) the requisite recommendation or consent to the transfer is given after the expiry of four months after the end of the first year of the course in respect of which the award was originally made (“the previous course”); and
- (b) the board is not satisfied, after consulting the academic authority or authorities concerned, that the fact that the requisite recommendation or consent was given after the expiry of the period specified in sub-paragraph (a) was due only to the need to apply through a clearing admission system; and
- (c) the board is satisfied, after consulting the academic authority or authorities concerned, that the period which the student in question will ordinarily require for the completion of the course which he now attends (“the current course”) will expire later than the period which he would have required for the completion of the previous course,

then the board shall not make payments otherwise due under regulation 12 in respect of the current course in respect of the period mentioned in paragraph (8).

(8) The period referred to in paragraph (7) is the period which begins on the first day on which the student attends the new course and which ends after the number of weeks mentioned in paragraph (9).

(9) The number of weeks referred to in paragraph (8) is the difference between the number of weeks which the student in question will ordinarily require for the completion of the current course and the number of weeks which he would have required to complete the previous course.

(10) Where an award has been transferred under paragraph 1(1)(c) or (d) of Schedule 4 so as to be held in respect of a student’s attendance at a course for the degree of Bachelor of Education (“the current course”) if the period which the student in question would ordinarily require for the completion of the current course, when aggregated with the period for which the student has already pursued a course in respect of which the award was held (“the overall period of study”), exceeds—

- (a) five years where the current course is for the honours degree of Bachelor of Education; or
- (b) four years where the current course is for that degree not being an honours degree,

(“the prescribed period of study”) then the board shall not make payments otherwise due under regulation 12 in respect of the current course in respect of the period mentioned in paragraph (11).

(11) The period referred to in paragraph (10) is the period beginning on the first day on which the student attends the current course and continues for the number of weeks mentioned in paragraph (12).

(12) The number of weeks referred to in paragraph (11) is the number of weeks by which the overall period of study exceeds the prescribed period of study.

(13) In determining the period ordinarily required to complete a course for the purposes of paragraph (7), (9) or (10) there shall be included vacations, and any period until the end of the final year of the course, but there shall be ignored—

- (a) in each case, periods of experience which are part of a sandwich course; and
- (b) in the case of the previous course any period during which the student would now be required by the academic authority to repeat part of the course, if the board would not make any payments for maintenance in respect of that period under paragraph (1).

(14) For the purposes of paragraphs (7) and (10) a payment is due in respect of the period mentioned in paragraphs (8) and (11) respectively if it is—

- (a) any instalment or other payment on account of fees becoming payable under regulation 12(1)(a) during that period; or
- (b) a sum or grant payable, or the proportion of a sum or grant payable, in respect of maintenance under regulation 12(1)(b) which relates to that period.