
STATUTORY RULES OF NORTHERN IRELAND

1998 No. 298

**Education (Student Support)
Regulations (Northern Ireland) 1998**

Part II

Eligibility

Eligible students

3.—(1) A person shall be an eligible student in relation to an academic year of a course which begins on or after 1st September 1998 for the purposes of Article 3(1) of the Order and of these Regulations if—

- (a) he is a person mentioned in Schedule 1;
- (b) the course he is attending is a designated course;
- (c) he is under the age of 50 years on the first day of the course;
- (d) he is not eligible to receive a loan in relation to the academic year under the Education (Student Loans) (Northern Ireland) Order 1990 or the Education (Student Loans) Act 1990;
- (e) subject to regulation 9(4), he has not received a relevant loan in relation to the academic year of another course which year ended after the first day of the academic year in question;
- (f) he is not eligible to receive, in relation to the academic year, any payment under a bursary or award of similar description bestowed on him in pursuance of Article 44 of the Health and Personal Social Services (Northern Ireland) Order 1972(1) the amount of which is not calculated by reference to his income;
- (g) he is not in breach of any obligation to repay any relevant loan; or
- (h) where he entered into an agreement for a relevant loan when he was under the age of 18 years, he has ratified the agreement.

(2) For the purposes of paragraph (1)(c) and Schedule 1, if a person withdraws from a designated course provided by any institution with the agreement of that institution without completing the course and if, disregarding any intervening vacation, he immediately commences attending another designated course provided by the same or by a different institution the first day of the first course shall be regarded as the first day of the second course or any subsequent course which he commences in the same circumstances.

(3) For the purposes of paragraph (1)(e), (g) and (h) “relevant loan” includes a loan or any loan made under the Teaching and Higher Education Act 1998, the Education (Student Loans) Act 1990, the Education (Student Loans) (Northern Ireland) Order 1990 or the Education (Scotland) Act 1980.

Designated courses

4.—(1) A course shall be designated for the purposes of Article 3(1) of the Order and regulation 3(1)(b) if it is—

- (a) mentioned in Schedule 2;
- (b) a full-time course;
- (c) of at least one academic year's duration; and
- (d) wholly provided by an educational institution or institutions in the United Kingdom which are maintained or assisted by recurrent grants out of public funds or is provided by such an institution or institutions in conjunction with an institution or institutions outside the United Kingdom.

(2) For the purposes of these Regulations a full-time course is a sandwich course or a course—

- (a) which persons undertaking it are normally required by the institution providing it to attend (whether at premises of the institution or elsewhere)—
 - (i) in the case of a course of one academic years' duration, for a period of at least 24 weeks; and
 - (ii) in the case of a course of two or more academic years' duration, for a period of at least 24 weeks in each academic year except the final year and of at least eight weeks in the final year; and
- (b) the nature of which is such that a person undertaking it would normally require to undertake periods of study, tuition or work experience which together amount in each academic year to an average of at least 21 hours for each week for which attendance is required for the purposes of sub-paragraph (a).

(3) For the purposes of these Regulations a course is provided by an institution if it provides the teaching and supervision which comprises the course, whether or not it has entered an agreement with the student to provide the course.

(4) For the purposes of Article 3 of the Order and regulation 3(1) the Department may designate courses of higher education which are not designated under paragraph (1).

Certificate of eligibility

5.—(1) A person shall demonstrate that he is an eligible student by completing an eligibility questionnaire and by providing such supporting evidence of eligibility as the Department may require.

(2) Without prejudice to the generality of paragraph (1) an eligible student shall produce—

- (a) if he was born in the United Kingdom, a certificate issued by the appropriate authority showing the date of his birth;
- (b) if he was born outside the United Kingdom, a valid passport, unless he is a refugee or does not hold one, and in any event a letter or other document issued by a responsible person which contains particulars of his date, place and country of birth and his names at birth;
- (c) a United Kingdom national insurance card, or some other document issued or sent to the student by a government department or agency or by an employer which refers to his national insurance number, unless he does not have such a number; and
- (d) evidence from the institution providing the designated course he is attending that he has commenced attending that course and of the duration of that course.

(3) The Department may take such steps and make such inquiries as it considers necessary to determine whether any student is an eligible student.

(4) If the Department considers that a person is an eligible student it shall issue to the student an eligibility form for the student to complete.

(5) An eligibility form shall include the following particulars—

- (a) the full name of the student and his or her sex;
- (b) the student's United Kingdom national insurance number, unless he does not have one;
- (c) the student's most recent student loan account number, if any;
- (d) if the student's full name at birth was different from the above, his full name at birth;
- (e) the country in which the student was born;
- (f) if the student was born in the United Kingdom, the place where his birth certificate was issued;
- (g) the student's date of birth;
- (h) the student's home address and telephone number and any term-time address and telephone number if it is different and in such a case an indication to which address correspondence should be sent;
- (i) whether the student was, on the first day of the designated course he is attending, ordinarily resident for the purposes of these Regulations in England and Wales, Scotland or Northern Ireland;
- (j) the student's bank or building society sort code and account number, if any;
- (k) the student's age on the first day of the designated course he is attending;
- (l) the date on which the student expects to complete the course;
- (m) whether the course is—
 - (i) for a Postgraduate Certificate of Education or Art Teacher's Certificate;
 - (ii) an accelerated course; or
 - (iii) another designated course;
- (n) the name of the institution which provides the designated course the student is attending and, if any part of the course is provided by an institution other than that institution, and indication to that effect;
- (o) the number of academic years of the designated course the student is attending, whether he is in the first, second, third or other of those years on the date the certificate is signed, and whether the academic years of the course begin in the autumn, the winter, the spring or the summer; and
- (p) the matriculation or student number assigned to the student by the institution providing the designated course he is attending.

(6) The student shall sign a declaration on the eligibility form that—

- (a) the particulars given in the eligibility form are correct to the best of his knowledge and belief; and
- (b) he will notify the Department of any change in them.

(7) If the Department is satisfied that the particulars in the eligibility form are correct and that the student is an eligible student it shall certify those matters to the best of its knowledge and belief and also certify the amount of loan to which it considers the student is entitled (“a certificate of eligibility”).

(8) The Department shall issue to each student whose eligibility it has certified under paragraph (7) an application form (“a loan application form”) which identifies the certificate of eligibility relating to that student.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
