
STATUTORY RULES OF NORTHERN IRELAND

2002 No. 265

Students Awards Regulations (Northern Ireland) 2002

PART III

AMOUNTS OF AWARDS

Revocations, savings and transitional provisions

18.—(1) The Students Awards Regulations (Northern Ireland) 2001(1) are hereby revoked.

(2) Without prejudice to section 29(3)(a) of the Interpretation Act (Northern Ireland) 1954(2) and to the definition of “award in regulation 2(1)”, an old award made in pursuance of previous awards regulations before the coming into operation of these Regulations, insofar as it could have been made in pursuance of these Regulations, shall for the purposes thereof, be treated as having been so made.

(3) Where the current academic year of a student’s course began in the winter or the spring of 2002 then, notwithstanding anything in these Regulations, payments in pursuance of an old award to that student in respect of the year beginning on 1st January 2002 or, as the case may be, 1st April 2002 shall be the aggregate of –

- (a) two-thirds or, as the case may be, one-third of the payments in pursuance of that award which would have fallen to be made in respect of that year under the Students Awards (Northern Ireland) Regulations 2001 had they not been revoked; and
- (b) one-third or, as the case may be, two-thirds of the payments which would have fallen to be made in respect of the year beginning on 1st September 2002 under these Regulations had the academic year of that course begun in the autumn of 2002.

(4) In the case of a course at the University of Buckingham beginning in the winter, spring or summer of 2002 then, notwithstanding anything in these Regulations, payments in pursuance of an old award in respect of the year beginning on 1st January, 1st April or 1st July (as the case may be) shall be the aggregate of –

- (a) three-quarters, one-half or one-quarter (as the case may be) of the payments which would have fallen to be made in respect of that year under the Students Awards Regulations (Northern Ireland) 2001 had they not been revoked; and
- (b) one-quarter, one-half or three-quarters (as the case may be) of the payments which would have fallen to be made in respect of the year beginning on 1st September 2002 under these Regulations had the academic year of the course begun in the autumn of 2002.

(5) Where an award was made to a student under Article 50(3) of the Order (“the discretionary award”) in respect of a course to which Article 50(1) and (2) did not then apply but the course becomes or has become a specified course and an award within the meaning of these Regulations is or has been made to the student in respect of that course, then if the discretionary award continues to be payable it shall be disregarded in calculating the students income for the purposes of regulation 11(1) (b); but payments on account of the mandatory award in respect of fees and in respect of maintenance

(1) S.R. 2001 No. 298
(2) 1954 c. 33 (N.I.)

for any period shall be respectively reduced or extinguished by those on account of the corresponding element of the discretionary award.

(6) Where –

- (a) an award was made to a person pursuant to previous awards regulations in respect of his attendance at a course during an academic year beginning before 1st September 1997; and
- (b) the person immediately after ceasing to attend that course (disregarding any intervening vacation) begins to attend another course,

a board shall not be excepted from the duty to make an award in respect of the person’s attendance at the second course by the application of the exception relating to settlement in the United Kingdom found in paragraph 2(a) of Schedule 1.

(7) In relation to a person who commenced attendance at an institution of Higher Education in the Republic of Ireland providing a full-time course comparable to one listed in paragraph 1, 2, 3 or 4 of Schedule 2 before 10th July 1997 or could have commenced such attendance before that date but for choosing to defer such attendance, the following provisions of the Students Awards Regulations (Northern Ireland) 1996⁽³⁾ shall continue to apply as if those Regulations had not been revoked –

- (a) the definition of “institution” in regulation 2(1);
- (b) sub-paragraph (i) of paragraph (a) in Schedule 6.

(3) S.R. 1996 No. 190 was revoked and replaced by S.R. 1996 No. 298