
STATUTORY RULES OF NORTHERN IRELAND

2004 No. 478

**The Education (Student Loans) (Repayment)
(Amendment) (No. 2) Regulations (Northern Ireland) 2004**

Amendment of the Education (Student Loans) (Repayment) Regulations (Northern Ireland) 2000

4. After regulation 13 there shall be inserted the following regulations –

“Information requests

13A. Every borrower must, within six weeks, inform the Department and provide it with particulars if either of the following occurs –

- (a) his home address changes; or
- (b) his name changes.

13B.—(1) The Department may serve a notice (“an Information Notice”) on a borrower at his home address.

(2) An Information Notice under paragraph (1) requires the borrower to provide some or all of the following, together with documentary evidence in support where relevant –

- (a) his full name;
- (b) his telephone number;
- (c) his national insurance number or a valid reason for not having one;
- (d) his date of birth;
- (e) a statement of whether he is employed, self-employed or not employed;
- (f) the following particulars of his employment and income during the period specified in the notice –
 - (i) for each part of that period during which he was employed, the dates on which the employment began and (unless it is still continuing) ended, the name and address of his employer, his employee number and his gross earnings,
 - (ii) for each part of that period during which he was self-employed, the dates on which it began and (unless it is still continuing) ended and his gross earnings, and
 - (iii) the amount, source and date of receipt of any other income.

(3) An Information Notice under paragraph (1) must set out the provisions contained in regulation 13C.

(4) Where the Department has served an Information Notice on a borrower under paragraph (1), the borrower must comply with it within a period of 28 days beginning with the day on which the Information Notice was served.

13C.—(1) Where a borrower has failed to comply with regulation 13A, the Department may require the borrower to pay a penalty of £50.

(2) Where a borrower has failed to comply with regulation 13B(4), the Department may require the borrower to pay a penalty of £50.

(3) Where a borrower has been liable to a penalty under paragraph (2) in respect of an Information Notice and has not paid it, upon expiry of the time limit for payment the Department may require the borrower to pay one additional penalty of £100 in respect of that Information Notice.

(4) The Department must notify the borrower of a penalty imposed under paragraph (1), (2) or (3) by serving a notice (“a Penalty Notice”) on the borrower at his home address.

(5) Notwithstanding the provisions of regulation 11(3) and (4), a penalty imposed under paragraph (1), (2) or (3) is payable within a period of 28 days beginning with the day on which the Penalty Notice was served and may be added to the borrower’s loan account.

13D. Where the Department incurs reasonable costs or expenses in taking steps to –

- (a) serve an Information Notice on a borrower under regulation 13B(1);
- (b) serve a Penalty Notice on a borrower under regulation 13C(4); or
- (c) obtain the information requested in an Information Notice served under regulation 13B(1),

it may require the reimbursement of those costs or expenses by the borrower and may add them to the borrower’s loan account.

13E. Where the Department considers that having regard to all the circumstances of a particular case a time limit in regulation 13B(4) or regulation 13C(5) should be relaxed, it may specify another time limit.”.