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STATUTORY RULES OF NORTHERN IRELAND

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**2005 No. 340**

The Education (Student Support)  
Regulations (Northern Ireland) 2005

PART 8

PAYMENTS

**Overpayments**

**33.**—(1) Any overpayment of a grant for fees may be recovered by the Department from the academic authority.

(2) An eligible student shall, if so required by the Department, repay any amount paid to him under Part 5 or 6 which for whatever reason exceeds the amount of support to which he is entitled under Part 5 or 6.

(3) Any overpayment of any grant or bursary under Part 5 may be recovered in whichever one or more of the following ways the Department considers appropriate in all the circumstances—

- (a) by subtracting the overpayment from any kind of grant payable to the student from time to time in accordance with regulations made under Article 3 of the Order;
- (b) by taking such other action for the recovery of an overpayment as is available to it.

(4) Any overpayment of a loan for living costs in respect of any academic year may be recovered if in the opinion of the Department—

- (a) the overpayment is a result of a failure of the student to provide promptly information which might affect whether he qualifies for a loan or the amount of loan for which he qualifies; or
- (b) any information which the student has provided is inaccurate in a material particular; or
- (c) the student has failed to provide information which the Department considers to be material in the context of the recovery of the loan.

(5) Where an overpayment of a loan for living costs is recoverable in accordance with paragraph (4), it may be recovered in whichever one or more of the following ways the Department considers appropriate in all the circumstances—

- (a) by subtracting the overpayment from the amount of any loan payable to the student from time to time in accordance with regulations made under Article 3 of the Order;
- (b) by taking such other action for the recovery of an overpayment as is available to it.

(6) Where there has been an overpayment of a loan which is not recoverable under paragraph (4), the Department may subtract the overpayment from the amount of any loan payable to the student from time to time in accordance with regulations made under Article 3 of the Order.