
STATUTORY RULES OF NORTHERN IRELAND

2007 No. 195

**The Education (Student Support)
Regulations (Northern Ireland) 2007**

PART 10

PAYMENTS

CHAPTER 3

PAYMENT OF LOANS

Payment of loans for living costs

103.—(1) The Department may pay support under Part 6 in instalments.

(2) Subject to paragraph (4), the Department may pay support under Part 6 at such times as it considers appropriate.

(3) An institution is required to send an attendance confirmation to the Department.

(4) The Department must not pay the first instalment, or where it has been determined not to pay support under Part 6 by instalments, make any payment of support under Part 6 to the eligible student before it has received an attendance confirmation from the relevant institution unless an exception applies.

(5) An exception applies if the Department has determined that owing to exceptional circumstances it would be appropriate to make a payment without receiving an attendance confirmation.

(6) Where a final assessment cannot be made on the basis of the information provided by the student, the Department may make a provisional assessment and payment of support under Part 6.

(7) Payments of support under Part 6 are to be made in such manner as the Department considers appropriate and it may make it a condition of entitlement to payment that the eligible student must provide it with particulars of a bank or building society account in the United Kingdom into which payments may be made by electronic transfer.

(8) Where the Department has made any payment of support under Part 5 or under Part 6 and a student who qualifies for a loan for living costs under Part 6 applies for such a loan or applies for an additional amount of loan for living costs in respect of an academic year, the Department may pay that loan or that additional amount of loan in such instalments (if any) and at such times as it considers appropriate as soon as is reasonably practicable after a satisfactory application has been received.

(9) No support under Part 6 in respect of the current course is payable in respect of any payment period beginning after an eligible student's period of eligibility terminates.

(10) No support under Part 6 is due in respect of a payment period during part of which an eligible student is absent from his course, unless in the opinion of the Department it would be appropriate in all the circumstances for support to be paid in respect of the period of absence.

(11) In deciding whether it would be appropriate for support to be due under paragraph (10) the circumstances to which the Department must have regard include the reasons for the student's absence, the length of the absence and the financial hardship which not paying the support would cause.

(12) An eligible student is not to be considered absent from his course if he is unable to attend due to illness and his absence has not exceeded 60 days.

(13) Where, after the Department has made any payment of loan for living costs for which a student qualifies in respect of an academic year under Part 6, it makes a determination that the amount of loan for living costs for which the student qualifies is less than the amount previously determined either by way of a revision of a provisional assessment or otherwise—

- (a) it must subtract such amount as is necessary to ensure that the student does not borrow an amount of loan for living costs which is greater than that for which he qualifies from any amount of loan for living costs which remains to be paid;
- (b) if the amount to be subtracted is greater than the amount of loan for living costs remaining to be paid, the latter is reduced to nil;
- (c) any remaining overpayment is recoverable in accordance with Chapter 4 of this Part.