
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 37

**The Education (Student Support)
Regulations (Northern Ireland) 2009**

PART 11

SUPPORT FOR FULL-TIME DISTANCE LEARNING COURSES

Overpayments

124.—(1) Any overpayment of a grant in respect of fees is recoverable by the Department from the academic authority.

(2) An eligible distance learning student must, if so required by the Department, repay any amount paid to the student under this Part which for whatever reason exceeds the amount of grant to which the student is entitled under this Part.

(3) The Department must recover an overpayment of grant for books, travel and other expenditure and disabled distance learning students' allowance unless the Department considers that it is not appropriate to do so.

(4) The methods of recovery are—

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

(5) A payment of the disabled distance learning students' allowance made before the relevant date is an overpayment if the student withdraws from the course before the relevant date unless the Department decides otherwise.

(6) In this regulation, the "relevant date" is the date on which the first term of the academic year in question actually begins.

(7) In the circumstances set out in paragraph (8) or (9), there is an overpayment of the disabled distance learning students' allowance unless the Department decides otherwise.

(8) The circumstances are—

- (a) the Department applies all or part of the disabled distance learning students' allowance to the purchase of specialist equipment on behalf of the eligible distance learning student;
- (b) the student's period of eligibility terminates after the relevant date; and
- (c) the equipment has not been delivered to the student before the period of eligibility terminated.

(9) The circumstances are—

- (a) the eligible distance learning student's period of eligibility terminates after the relevant date; and

Status: This is the original version (as it was originally made).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

(b) a payment of the disabled distance learning students' allowance in respect of specialist equipment is made to the student after the period of eligibility terminated.

(10) Where there is an overpayment of the disabled distance learning students' allowance, the Department may accept the return of specialist equipment purchased with the grant by way of recovery of all or part of the overpayment if the Department considers it is appropriate to do so.