
STATUTORY RULES OF NORTHERN IRELAND

2011 No. 262

**The Further Education (Student Support)
(Eligibility) Regulations (Northern Ireland) 2011**

Citation and commencement

1. These Regulations may be cited as the Further Education (Student Support) (Eligibility) Regulations (Northern Ireland) 2011 and shall come into operation on 1st September 2011.

Interpretation

2. In these Regulations—

“the Order” means the Education (Student Support) (Northern Ireland) Order 1998;

“the 1997 Order” means the Further Education (Northern Ireland) Order 1997(1);

“further education” has the meaning assigned by Article 3 of the 1997 Order;

“the Department” means the Department for Employment and Learning;

“designated course” means a course designated by regulation 5;

“higher education” has the meaning assigned by Article 2(2) of the 1997 Order;

“institution of further education” means an educational establishment which is recognised by the Department as an institution of further education under Article 8 of the 1997 Order;

“support” means financial support by way of grant made by the Department to an institution of further education pursuant to Regulations made by the Department under Article 3 of the Order.

Application

3. These Regulations apply in relation to the provision of support in relation to the academic year which begins on or after 1st September 2011 and ends on 31st August 2012.

Eligible students

4.—(1) A person is an eligible student in connection with a designated course if the Department determines that the person falls within one of the categories set out in Part 2 of the Schedule.

(2) A person ceases to be an eligible student if he abandons or is expelled from a designated course.

Designated courses

5. A course is a designated course for the purposes of Article 3(1) of the Order if it is—

(a) a further education course or a higher education course; and

(b) wholly provided by an institution of further education in Northern Ireland.

Applying for support and provision of information

6.—(1) An institution of further education shall apply for support in respect of each eligible student on a designated course by completing and submitting to the Department such documentation as the Department may require.

(2) The Department may take such steps and make such inquiries as it considers necessary to determine whether an application for support is in respect of an eligible student.

(3) If the Department is satisfied that an institution of further education has failed to comply with any requirement to provide information under these Regulations or has provided information which is incomplete or inaccurate in a material particular, the Department may—

- (a) determine that the institution no longer qualifies for any particular support or particular amount of support; and
- (b) treat any support paid to the institution as an overpayment which may be recovered by such means as the Department considers appropriate.

Payments

7.—(1) Support shall not be paid to an institution of further education until the Department has received a valid request for payment from the institution.

(2) If the Department is satisfied that an application for support is valid for an eligible student on a designated course, then the Department will provide support to the institution of such amounts as it considers appropriate.

(3) Any amount payable under paragraph (2) may be paid in such instalments as the Department considers appropriate.

Revocation

8. The Further Education (Student Support) (Eligibility) Regulations (Northern Ireland) 2010(2), are revoked.

Sealed with the Official Seal of the Department for Employment and Learning on 7th July 2011.



Dr. Stephen Farry
Minister for Employment and Learning