

SCHEDULE 3

MEANS TEST

PART II

PARENTAL CONTRIBUTION

Application of Part II

3.—(1) A parental contribution ascertained in accordance with this Part shall be applicable in the case of every eligible student except where—

- (a) he is aged 25 or over on the first day of the first academic year in respect of which the contribution is applicable;
- (b) he has supported himself out of his earnings for periods before the first academic year of the course aggregating not less than three years;
- (c) he has been married for at least two years before the beginning of the academic year in respect of which the contribution is applicable, whether or not the marriage is still subsisting;
- (d) he has no parent living;
- (e) the Secretary of State is satisfied that his parents cannot be found or that it is not reasonably practicable to get in touch with them;
- (f) he is irreconcilably estranged from his parents;
- (g) he has pursuant to an order of a competent court been in the custody or care of or has been provided with accommodation by—
 - (i) a state authority or agency, national, regional or local,
 - (ii) a voluntary or charitable organisation, or
 - (iii) any person who is not the student's parentthroughout any three month period ending on a date on or after the date on which he attains the age of 16 and before the first day of his course; provided that he has not at any time from the beginning of the three month period to the first day of his course in fact been under the charge or control of his parents;
- (h) his parents are residing outside the European Community and the Secretary of State is satisfied either that—
 - (i) the assessment of a parental contribution would place those parents in jeopardy; or
 - (ii) it would not be reasonably practicable for those parents to send any such contribution to the United Kingdom;
- (i) paragraph 5(7) applies and the parent whom the Secretary of State considered the more appropriate for the purposes of that sub-paragraph has died;
- (j) he is a member of a religious order who resides in a house of his order.

(2) For the purposes of paragraph (1)(b) an eligible student shall be treated as having supported himself out of his earnings for any period or periods for which—

- (a) he was participating in arrangements for training for the unemployed under any scheme operated by, sponsored or funded by any state authority or agency, national, regional or local;

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- (b) the student was in receipt of benefit payable by any state authority or agency, national, regional or local, in respect of a person who is available for employment but who is unemployed;
 - (c) the student was available for employment and had complied with any requirement of registration imposed by a body referred to in paragraphs (a) or (b) as a condition of entitlement for participation in arrangements for training or receipt of benefit;
 - (d) the student held a State Studentship or comparable award;
 - (e) the student received any pension, allowance or other benefit paid by reason of a disability to which he is subject, or by reason of confinement, injury or sickness, paid by any state authority or agency, national, regional or local, by an employer or any former employer, or by any other person; or
 - (f) the student could not reasonably have been expected to support himself out of his earnings because he had the care of a person under the age of 18 years who was wholly or mainly financially dependent upon him.
- (3) For the purposes of paragraph (1)(f) an eligible student shall be regarded as irreconcilably estranged from his parents if, but not only if, he has communicated with neither of them for the period of one year before the beginning of the year for which payments in pursuance of his award fall to be made.