
STATUTORY INSTRUMENTS

1998 No. 1760

The Education (Student Support) (Northern Ireland) Order 1998

Transfer or delegation of functions relating to student support

4.—(1) If the Department so determines, any function exercisable by it by virtue of regulations under Article 3 shall, to such extent as is specified in its determination, be exercisable instead by such body as is so specified which is either—

[^{F1}(a) the Education Authority; or]

(b) the governing body of an institution[^{F2} with] which eligible students (within the meaning of such regulations) are[^{F2} undertaking] courses.

(2) A body by which any function is for the time being exercisable by virtue of paragraph (1) shall comply with any directions given by the Department as to the exercise of that function.

(3) The Department may make arrangements for any person or body specified in the arrangements to exercise on its behalf, to such extent as is so specified, any function exercisable by it by virtue of regulations under Article 3 (including any such function in relation to appeals).

(4) Any arrangements made under paragraph (3) shall not prevent the Department from exercising the function in question itself.

(5) The Department may make provision for enabling appeals—

(a) to be made with respect to such matters arising out of the exercise by any person or body of any function by virtue of paragraph (1) or (3) as it may determine; and

(b) to be so made to a person or body appointed by it for the purpose.

(6) The Department may pay to any body or person by whom any function is exercisable by virtue of paragraph (1) or (3)—

(a) such amounts as it considers appropriate for the purpose of meeting expenditure incurred or to be incurred by that body or person—

(i) in making grants or loans under Article 3; or

(ii) by way of administrative expenses, in, or in connection with, the exercise of that function;

(b) in a case where the function is exercisable by virtue of paragraph (3), such remuneration as it may determine.

(7) Any payment under paragraph (6)(a) may be made subject to such terms and conditions as the Department may determine; and any such conditions may in particular—

(a) require the provision of returns or other information before any such payment is made;

(b) relate to the use of the amount paid or require the repayment in specified circumstances of all or part of the amount paid.

(8) The Department may pay to any person or body appointed by it under paragraph (5) such remuneration or administrative expenses (or both) as it may determine.

Changes to legislation: *There are currently no known outstanding effects for the The Education (Student Support) (Northern Ireland) Order 1998, Section 4. (See end of Document for details)*

(9) In relation to any function which, by virtue of paragraph (1) or (3), is exercisable to a specified extent, references in any other provision of this Article to the exercise of that function are accordingly to its exercise to that extent.

- | |
|---|
| <p>F1 Art. 4(1)(a) substituted (1.4.2015) by Education Act (Northern Ireland) 2014 (c. 12), Sch. 3 para. 21 (with Sch. 2 para. 4(3)); S.R. 2015/35, art. 2(b)</p> <p>F2 2000 c. 21</p> |
|---|

Changes to legislation:

There are currently no known outstanding effects for the The Education (Student Support) (Northern Ireland) Order 1998, Section 4.