
STATUTORY RULES OF NORTHERN IRELAND

2004 No. 517

**The Education (Student Support) (Amendment)
(No. 2) Regulations (Northern Ireland) 2004**

Amendment of the 2003 Regulations

9. In Schedule 3 (as inserted by Schedule 2 to the 2004 Regulations) –
- (a) For sub-paragraph (g) of paragraph 1 there shall be substituted –
 - “(g) “new eligible student” means an eligible student starting a designated course on or after 1st September 2004 other than –
 - (i) a designated course which an end-on course in relation to a designated course which the student started before 1st September 2004; or
 - (ii) a designated course to which the student’s eligibility has been transferred as a result of one or more transfers under regulation 7 from a designated course which started before 1st September 2004;”;
 - (b) for paragraph 4(6) there shall be substituted –

“(6) Where the eligible student’s parent satisfies the Department that his income is wholly or mainly derived from the profits of a business or profession carried on by him, then any reference in this Schedule to a preceding financial year shall mean the earliest period of twelve months which ends after the start of the preceding financial year and in respect of which accounts are kept relating to that business or profession.”;
 - (c) in paragraphs 4(10) and 4(11) after the word “Where” there shall be inserted the words “the Department determines that”;
 - (d) for paragraphs 5(2) and 5(3) there shall be substituted –
 - “(2) Where the Department determines that the eligible student and his partner do not ordinarily live together throughout the relevant year, the partner’s income shall not be taken into account in determining the household income.
 - (3) Where the Department determines that the eligible student and his partner do not ordinarily live together for part only of the relevant year, the partner’s income shall be determined by reference to his income under sub-paragraph (1) divided by fifty-two and multiplied by the number of complete weeks in the relevant year for which the Department determines that the eligible student and his partner ordinarily live together.”.