
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 312

The Education (Student Support)
Regulations (Northern Ireland) 2006

PART 5

GRANTS FOR LIVING AND OTHER COSTS

CHAPTER 2

GENERAL PROVISIONS

General qualifying conditions for grants for living and other costs

- 37.**—(1) An eligible student qualifies for a grant under this Part provided that—
- (a) he is not excluded from qualification by any of the following paragraphs; and
 - (b) he satisfies the qualifying conditions for the particular grant for which he is applying.
- (2) An eligible student does not qualify for—
- (a) a bursary or grant under this Part if the only paragraph in Part 2 of Schedule 1 into which he falls is paragraph 9;
 - (b) a bursary under regulation 53 in respect of any academic year of a part-time course for the initial training of teachers referred to in paragraph 4 of Schedule 2.
- (3) An eligible student does not qualify for a grant under this Part in respect of any academic year—
- (a) during which he is eligible to receive any bursary or award of similar description under Article 44 of the Health and Personal Social Services (Northern Ireland) Order 1972, or section 63 of the Health Services and Public Health Act 1968 the amount of which is calculated by reference to his income;
 - (b) during which he is eligible to receive a Scottish healthcare allowance the amount of which is calculated by reference to his income; or
 - (c) of a course for the initial training of teachers during which the periods of full-time attendance, including attendance for the purpose of teaching practice, are in aggregate less than 6 weeks.
- (4) Paragraph (3)(c) does not apply for the purposes of the disabled students' allowance.
- (5) An eligible student does not qualify for a grant for living and other costs under this Part in respect of any academic year of a sandwich course where the periods of full-time study are in aggregate less than 10 weeks unless the periods of work experience constitute unpaid service.
- (6) For the purposes of paragraph (5), “unpaid service” means—
- (a) unpaid service in a hospital or in a public health service laboratory or with a primary care trust in the United Kingdom or the Republic of Ireland;

- (b) unpaid service with a local authority in the United Kingdom or the Republic of Ireland acting in the exercise of its functions relating to the care of children and young persons, health or welfare or with a voluntary organisation providing facilities or carrying out activities of a like nature in the United Kingdom or the Republic of Ireland;
- (c) unpaid service in the prison or probation and aftercare service in the United Kingdom or the Republic of Ireland;
- (d) unpaid research in an institution in the United Kingdom or the Republic of Ireland or, in the case of a student attending an overseas institution as part of his course, in an overseas institution; or
- (e) unpaid service with—
 - (i) a Health and Social Services Board established under Article 16 of the Health and Personal Social Services (Northern Ireland) Order 1972;
 - (ii) a Health and Social Services Trust established under Article 10 of the Health and Personal Social Services (Northern Ireland) Order 1991(1);
 - (iii) a Health Authority or a Strategic Health Authority established pursuant to section 8 of the National Health Service Act 1977(2), a Special Health Authority established pursuant to section 11 of that Act(3) or a Local Health Board established pursuant to section 16BA of that Act(4);or
 - (iv) a Health Board or a Special Health Board constituted under section 2 of the National Health Service (Scotland) Act 1978(5).

(7) Where one of the events listed in paragraph (8) occurs in the course of an academic year, a student may qualify for a particular grant in accordance with this Part in respect of all or part of that academic year but he does not qualify for a grant for living and other costs in respect of any academic year beginning before the academic year in which the relevant event occurred.

(8) The events are—

- (a) the student's course becomes a designated course;
- (b) the student, his spouse, his civil partner or his parent is recognised as a refugee or becomes a person with leave to enter or remain as defined in Part 1 of Schedule 1;
- (c) the state of which the student is a national accedes to the European Community where the student has been ordinarily resident in the United Kingdom and Islands throughout the three-year period immediately preceding the first day of the first academic year of the course;
- (d) the student acquires the right of permanent residence as defined in Part 1 of Schedule 1;
- (e) the student becomes a person described in paragraph 6(1)(a) of Schedule 1; or
- (f) the student becomes the child of a Swiss national.

(9) A disabled student who is undertaking a designated course in the United Kingdom or the Republic of Ireland but who is not in attendance because he is unable to attend for a reason relating to his disability is treated as if he were in attendance on the designated course for the purpose of qualifying for the following grants—

- (a) grant for students who have left care;

(1) S.I. 1991/194 (N.I. 1); Article 10 was amended by the Health and Personnel Social Services (Northern Ireland) Order 1994 (S.I. 1994/429 (N.I. 2)) Article 3(8)

(2) 1977 c. 49; section 8 was amended by the National Health Service Reform and Health Care Professions Act 2002 (c. 17), section 1(2)

(3) Section 11 was amended by the Health Authorities Act 1995 (c. 17), section 2 and Schedule 1, paragraph 2 and the Health Act 1999 (c. 8), Schedule 4, paragraph 6

(4) Section 16BA was inserted by the National Health Service Reform and Health Care Professions Act 2002 (c. 17), section 6(1)

(5) 1978 c. 29

- (b) grant for dependants;
- (c) maintenance grant or special support grant;
- (d) higher education bursary.