STATUTORY RULES OF NORTHERN IRELAND

2007 No. 195

The Education (Student Support) Regulations (Northern Ireland) 2007

PART 4

FEE SUPPORT

CHAPTER 2

FEE LOANS FOR CURRENT SYSTEM STUDENTS

Availability of fee loans to current system students - general

18.—(1) A current system student does not qualify for fee support in respect of a designated course if—

(a) he has an honours degree from an institution in the United Kingdom and the exemption in regulation 36(1) or (2) does not apply; or

(b) he has an honours degree from an institution in the Republic of Ireland for which he received financial support under previous regulations and the exemption in regulation 36(1) or (2) does not apply; or

(c) the designated course is a flexible postgraduate course for the initial training of teachers.

(2) Notwithstanding paragraph (1) (a) and (b), a current system student qualifies for fee support in respect of a course leading to a degree in social work at an educational institution in Northern Ireland.

(3) A current system student does not qualify for a fee loan in respect of:—

(a) an academic year of a designated course that is a bursary year or an Erasmus year; or

(b) a year for which he is in receipt of funding from the Department to participate in a management development programme known as the Business Education Initiative.

(4) When assessing an application for support in respect of an academic year of a designated course, the Department must determine the "standard entitlement".

(5) The standard entitlement is calculated in accordance with regulation 19, 20, 21 or 22.

(6) When assessing an application for support in respect of an academic year of a designated course, the Department must allocate a fee loan from the standard entitlement first to the final standard academic year of the course and then to each preceding standard academic year in turn until the standard entitlement is exhausted or a fee loan has been allocated to each standard academic year of the course.

(7) A current system student qualifies for a fee loan in respect of a standard academic year of the designated course if the Department allocates a fee loan to that year when assessing the application for support for that year.

(8) In addition to the standard entitlement, a current system student who falls within regulation 21 qualifies for a fee loan in respect of the first academic year that he takes of the designated course

that is not a bursary year or an Erasmus year if he failed to complete the most recent previous course because of compelling personal reasons.

(9) Where a current system student qualifies for a fee loan under paragraph (8), the Department must not allocate a fee loan under paragraph (6) to the first academic year that the student takes of the designated course that is not a bursary year or an Erasmus year.

(10) In addition to the standard entitlement, if the Department determines that the student is repeating an academic year of the designated course because of compelling personal reasons, a current system student qualifies for a fee loan in respect of the year of repeat study provided that the academic year that the student is repeating was a qualifying year of study and the year of repeat study is not a bursary year.

(11) A current system student qualifies for a fee loan in respect of an academic year of a designated course that is a year of repeat study which the student is taking other than for compelling personal reasons if—

(a) the academic year which he is repeating was a qualifying year of study;

(b) the academic year of repeat study is not a bursary year; and

(c) when the academic year of repeat study is added to the number of any other academic years of repeat study that the student has already taken on the current course other than for compelling personal reasons, it does not exceed the number of additional years of support.

(12) In this regulation, the "number of additional years of support" is the number of years which make up the standard entitlement less the number of standard academic years (plus one where the student qualifies for a fee loan under paragraph (8)).

(13) The amount of the fee loan in respect of an academic year is determined in accordance with regulation 23 and may be nil.

Standard entitlement of current system students who have not studied on a previous course

19. Subject to regulation 20, the standard entitlement of a current system student who has not studied on a previous course is calculated as follows—

$OD+1$

where

OD is the number of academic years that make up the ordinary duration of the course.

Standard entitlement – course leading to degree in social work

20.—(1) Where the current course is a course leading to a degree in social work at an educational institution in Northern Ireland, the standard entitlement of a current system student is as follows—

$OD+1$

where

OD is the number of academic years that make up the ordinary duration of the current course.

(2) Paragraph (1) also applies where—

(a) the current course in relation to that student falls under paragraph (a) of the definition of "end-on course"; or

(b) the student has studied on a previous course other than a course mentioned in sub-paragraph (a).

(3) Where this regulation applies, regulations 21 and 22 do not apply.

Standard entitlement of current system students who have transferred from or otherwise studied on a previous course

21.—(1) The standard entitlement of a current system student who has studied on a previous course and who does not fall within regulation 22 is calculated as follows—

$$(OD+1)-PC$$

where

OD is the number of academic years that make up the ordinary duration of the course

PC is the number of academic years that the student has spent on previous courses.

(2) For the purposes of this regulation, a "current system student who has studied on a previous course" includes a current system student who has had his status as an eligible student transferred to the current course as a result of one or more transfers of that status by the Department pursuant to regulations made under Article 3 of the Order from a designated course which—

(a) is a previous course; and

(b) the student began on or after 1st September 2006.

Standard entitlement of current system students on end-on courses and certain degree courses

22.—(1) This regulation applies to—

(a) a current system student who is on an end-on course of the kind described in paragraph (a) or (b) of the definition of "end-on course" in regulation 2;

(b) a current system student who —

(i) has completed a full-time course mentioned in paragraph 2 or 3 of Schedule 3;

(ii) is on a full-time first degree course (other than a first degree course for the initial training of teachers) that he did not begin immediately after the course referred to in paragraph (i); and

(iii) has not taken a full-time first degree course after the course referred to in paragraph (i) and before the current course;

(c) a current system student who—

(i) has completed a full-time foundation degree course;

(ii) is on a full-time honours degree course that he did not begin immediately after the course referred to in paragraph (i); and

(iii) has not taken a full-time first degree course after the course referred to in paragraph (i) and before the current course.

(2) Regulations 19, 20 and 21 do not apply to students to whom this regulation applies.

(3) The standard entitlement of a student to whom this regulation applies is calculated as follows—

$$(D+X)-PrC$$

where

D is the greater of 3 and the number of academic years that make up the ordinary duration of the course

X is 1 where the ordinary duration of the preliminary course was less than three years and 2 where the ordinary duration of the preliminary course was three years

PrC is the number of academic years that the student spent on the preliminary course excluding any years of repeat study for compelling personal reasons.

Amount of the fee loan

23.—(1) Unless one of the cases set out in paragraph (3) applies, the amount of a fee loan in respect of an academic year of a designated course must not exceed the lesser of—

(a) £3,070; and

(b) the fees payable by the student in connection with that year.

(2) In the cases set out in paragraph (3), the amount of a fee loan in respect of an academic year of a designated course must not exceed the lesser of—

(a) £1,535; and

(b) the fees payable by the student in connection with that year.

(3) The cases are—

(a) the final academic year of a designated course where that academic year is normally required to be completed after less than 15 weeks' attendance;

(b) in respect of a sandwich course, an academic year—

(i) during which any periods of full-time study are in aggregate less than 10 weeks; or

(ii) if in respect of that academic year and any previous academic years of the course the aggregate of any one or more periods of attendance which are not periods of full-time study at the institution (disregarding intervening vacations) exceeds 30 weeks;

(c) in respect of a course for the initial training of teachers, an academic year during which any periods of full-time study are in aggregate less than 10 weeks;

(d) in respect of a course provided in conjunction with an overseas institution, an academic year—

(i) during which any periods of full-time study at the institution in the United Kingdom or the Republic of Ireland are in aggregate less than 10 weeks; or

(ii) if in respect of that academic year and any previous academic years of the course the aggregate of any one or more periods of attendance which are not periods of full-time study at the institution in the United Kingdom or the Republic of Ireland (disregarding intervening vacations) exceeds 30 weeks;

(e) an academic year of a course provided by the Institute where the course began before 1st September 2001.

(4) If a student's status as an eligible student is transferred from one designated course to another under these Regulations and the circumstances in paragraph (5) apply, the student may apply to the Department to borrow an additional amount by way of a fee loan in respect of the academic year of the course to which he transfers.

(5) The circumstances are—

(a) the fees payable in respect of the academic year of the course to which the current system student transfers exceed the fees payable in respect of the academic year of the course from which the student is transferring; and

(b) the academic year of the course to which the current system student transfers does not begin on a later date than the academic year of the course from which he is transferring.

(6) If a student's status as an eligible student is transferred from one designated course to another under these Regulations and the circumstances in paragraph (7) apply, the student may apply to the Department for another fee loan in respect of the academic year of the course to which he transfers.

(7) The circumstances are that the academic year of the course to which the current system student transfers begins on a later date than the academic year of the course from which he is transferring.

(8) Where the circumstances in paragraph (5) apply, the maximum additional amount that the current system student may borrow in respect of the academic year to which he transfers, provided that he qualifies for a fee loan in respect of that year, is determined by deducting the amount of any fee loan he has taken out under these Regulations in respect of the academic year from which he is transferring from the lesser of—

(a) £3,070 or, where one of the cases set out in paragraph (3) applies, £1,535; and

(b) the fees payable by the student in respect of the academic year to which he is transferring.

(9) Where the circumstances in paragraph (7) apply, the maximum amount of fee loan that a current system student may borrow in respect of the academic year to which he transfers provided that he qualifies for a fee loan in respect of that year is the lesser of—

(a) £3,070 or, where one of the cases set out in paragraph (3) applies, £1,535; and

(b) the fees payable by the student in connection with that year.

(10) Where a current system student has applied for a fee loan of less than the maximum amount available in relation to an academic year, he may apply to borrow an additional amount which when added to the amount already applied for does not exceed the relevant maximum applicable in his case.