
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 373

**The Education (Student Support) (No. 2)
Regulations (Northern Ireland) 2009**

PART 10

SUPPORT FOR FULL-TIME DISTANCE LEARNING COURSES

Period of eligibility

108.—(1) A student’s status as an eligible distance learning student is retained in connection with a designated distance learning course until the status terminates in accordance with this regulation or regulation 105.

(2) The period for which an eligible distance learning student retains that status is the “period of eligibility”.

(3) Subject to the following paragraphs and regulation 107, the period of eligibility terminates at the end of the academic year in which the eligible distance learning student completes the designated distance learning course.

(4) The period of eligibility terminates when the eligible distance learning student (“A”)—

(a) withdraws from A’s designated distance learning course in circumstances where the Department has not transferred or converted or will not transfer or convert A’s status under regulation 116, 117, 118 or 135; or

(b) abandons or is expelled from A’s designated distance learning course.

(5) The Department may terminate the period of eligibility where A has shown by A’s conduct that A is unfitted to receive support.

(6) If the Department is satisfied that an eligible distance learning student has failed to comply with any requirement to provide information under this Part or has provided information which is inaccurate in a material particular, the Department may take such of the following actions as the Department considers appropriate in the circumstances—

(a) terminate the period of eligibility;

(b) determine that the student no longer qualifies for any particular support or particular amount of support;

(c) treat any support paid to the student as an overpayment which may be recovered under regulation 121 [^{F1}or 121A].

(7) Where the period of eligibility terminates before the end of the academic year in which the eligible distance learning student completes the designated distance learning course the Department may, at any time, renew or extend the period of eligibility for such period as the Department determines.

Status: Point in time view as at 27/09/2017.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Textual Amendments

- F1** Words in [reg. 108\(6\)\(c\)](#) inserted (with application in accordance with reg. 1(2) of the amending Rule) by [The Education \(Student Support\) \(No.2\) \(Amendment\) and Education \(Student Loan\) \(Repayment\) \(Amendment\) Regulations \(Northern Ireland\) 2017 \(S.R. 2017/7\)](#), regs. 1(1), **8**

Commencement Information

- I1** Reg. 108 in operation at 17.12.2009, see [reg. 1\(1\)](#)

Status:

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