

SCHEDULE 5

FINANCIAL ASSESSMENT

Independent eligible student

2. An independent eligible student shall mean an eligible student in every case where—
- (a) he is aged 25 or over on the first day of the relevant year;
 - (b) he has been married or is in a civil partnership before the beginning of the relevant year, whether or not the marriage or civil partnership is still subsisting;
 - (c) he has no parent living;
 - (d) the Secretary of State is satisfied that neither of his parents can be found or that it is not reasonably practicable to get in touch with either of them;
 - (e) he has communicated with neither of his parents for the period of one year before the beginning of the relevant year or, in the opinion of the Secretary of State, he can demonstrate on other grounds that he is irreconcilably estranged from his parents;
 - (f) he has pursuant to an order of a competent court been in the custody or care of, or has been provided with accommodation by, any legal person who is not the student's parent throughout any three-month period ending on or after the date on which he attains the age of 16 and before the first day of his course ("the relevant period") (provided that he has not in fact at any time during the relevant period been under the charge or control of his parents);
 - (g) his parents are residing outside the European Community and the Secretary of State is satisfied that either—
 - (i) the assessment of the household income by reference to their residual income would place those parents in jeopardy; or
 - (ii) it would not be reasonably practicable for those parents as a result of the calculation of any contribution under paragraph 8 to send any relevant funds to the United Kingdom;
 - (h) paragraph 5(9) applies and the parent whom the Secretary of State considered the more appropriate for the purposes of that paragraph has died (irrespective of whether the parent in question had a partner);
 - (i) he is a member of a religious order who resides in a house of that order; or
 - (j) he has supported himself out of his earnings for any period or periods ending before the first academic year of the course which periods together aggregate not less than three years, and for the purposes of this sub-paragraph he shall be treated as supporting himself out of his earnings during any period which—
 - (i) he was participating in arrangements for training for the unemployed under any scheme operated by, sponsored or funded by any state authority or agency, whether national, regional or local ("a relevant authority");
 - (ii) he was in receipt of benefit payable by any relevant authority in respect of a person who is available for employment but who is unemployed;
 - (iii) he was available for employment and had complied with any requirement of registration imposed by a relevant authority as a condition of entitlement for participation in arrangements for training or receipt of benefit;
 - (iv) he held a State Studentship or comparable award;

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- (v) he received any pension, allowance or other benefit paid by any person by reason of a disability to which he is subject, or by reason of confinement, injury or sickness; or
- (vi) he could not reasonably have been expected to support himself out of his earnings because he had the care of a person under the age of 18 years who was wholly or mainly financially dependent on him.