
STATUTORY RULES OF NORTHERN IRELAND

2000 No. 213

Education (Student Support)
Regulations (Northern Ireland) 2000

Part VII

Payments

Overpayments

26.—(1) Any overpayment of grant for fees under Part III shall be recovered by the Department from the academic authority.

(2) Any overpayment of grant for living costs under Part IV other than a grant for dependants shall be recovered in such one or more of the following ways as the Department considers appropriate in all the circumstances—

- (a) by subtracting the overpayment from any other grant other than a grant for dependants for which the student is eligible in respect of the academic year in question, or from any other grant other than a grant for dependants for which he is eligible in respect of any other academic year;
- (b) where a student, upon completion of his course immediately commences another course, disregarding any intervening vacation by subtracting the overpayment from any payment of grant for living costs (other than a grant for dependants) for which he is eligible in respect of any academic year in connection with the second course;
- (c) by taking such other action for the recovery of a payment without statutory authority as is available to it.

(3) Any overpayment of grant for dependants under Part IV shall be recovered in such one or more of the following ways as the Department considers appropriate in all the circumstances—

- (a) by subtracting the overpayment from any grant for dependants for which the student is eligible in respect of the academic year in question or for which he is eligible in respect of any other academic year;
- (b) where a student, upon completion of his course immediately commences another course disregarding any intervening vacation by subtracting the overpayment from any payment of such grant for which he is eligible in respect of any academic year in connection with the second course; and
- (c) by taking such other action for the recovery of a payment without statutory authority as is available to it.

(4) Any overpayment of a loan for living costs under Part V in respect of any academic year may be recovered if in the opinion of the Department—

- (a) the overpayment is a result of a failure of the student to provide promptly information which might affect his eligibility for a loan or the amount of loan for which he is eligible; or
- (b) any information which he has provided is inaccurate in a material particular,

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but otherwise it shall be treated as a loan properly made under Part V which shall be repayable in accordance with the Order and regulations made under it.

(5) Where an overpayment of loan is treated as properly made under paragraph (4) the Department may subtract the overpayment from the amount of loan for living costs under Part V for which the student is eligible in respect of any other academic year.

(6) Where an overpayment of loan for living costs is recoverable in accordance with paragraph (4) it shall be recovered in such one or more of the following ways as the Department considers appropriate in all the circumstances—

- (a) by subtracting the overpayment from the amount of loan for which the student is eligible in respect of any other academic year;
- (b) where a student upon completion of his course immediately commences another course disregarding any intervening vacation by subtracting the overpayment from any payment of loan for which he is eligible in respect of any academic year in connection with the second course;
- (c) by taking such other action for the recovery of a payment made without statutory authority as is available to it.