
STATUTORY RULES OF NORTHERN IRELAND

2001 No. 277

**Education (Student Support)
Regulations (Northern Ireland) 2001**

Part VIII

Support for Part-time Courses

Conversion of eligibility

35.—(1) An eligible student under Part II may request the Department to convert his eligibility to that of an eligible part-time student in any case where—

- (a) with the consent of the academic authority the eligible student ceases to attend his course and starts to undertake a designated part-time course at the institution; or
- (b) with the written consent of the academic authorities of both institutions concerned, given on educational grounds, the eligible student ceases to attend his course and starts to undertake a designated part-time course at another institution.

(2) Subject to paragraphs (3) and (4) the Department, on being satisfied of the matters referred to in paragraph (1) and that the second course is a designated part-time course, shall convert the eligible student's eligibility, and thenceforth the student shall for all purposes cease to be an eligible student and shall be an eligible part-time student in connection with his undertaking the second course, whether or not he may have been so eligible if he had applied under regulation 32.

(3) The Department shall not under paragraph (2) convert the eligibility of a student who is a person mentioned in paragraph 7 of Schedule 1 and not in any other paragraph of that Schedule.

(4) The Department may, after consulting the academic authority concerned, refuse to convert eligibility where paragraph (1)(a) or (b) applies if it is satisfied that when the student applied for support he did not intend to complete the course to which his application related.

(5) An eligible student's eligibility as such may not be converted after it has expired or been terminated under regulation 8.

(6) Where under this regulation an eligible student under Part II becomes an eligible part-time student in the course of an academic year—

- (a) where the Department has determined to pay an amount of grant to the student under regulation 13 in periodic instalments no payment in respect of that amount of grant shall be made in respect of any instalment period beginning after the date on which the student became an eligible part-time student;
- (b) the maximum amount of grant to which the student would, apart from this regulation, be entitled to under regulation 33 in connection with his undertaking a designated part-time course in respect of that academic year shall be reduced by one third, where the student became an eligible part-time student during the second quarter of the academic year, and by two thirds where he became such a student in a later quarter of that year;

- (c) where an amount of grant for any purpose has been paid to the student under regulation 13 in a single instalment the maximum amount of grant payable to him under regulation 33 for that purpose shall be reduced (or where sub-paragraph (b) applies further reduced) by the amount of grant paid to him for that purpose under regulation 13, and where the resulting amount is nil or a negative amount that amount shall be nil; and
 - (d) where immediately before he became an eligible part-time student he was eligible to apply, but had not applied, for a loan for living costs in respect of that year under regulation 21, or had not applied for the maximum amount or increased maximum for which he was entitled under regulation 21 without prejudice to regulation 30 he may apply for such a loan or such additional amount of loan in accordance with regulation 21 as if he had continued to be an eligible student under Part II; and in the circumstances mentioned in paragraph (7) the maximum or increased maximum amount of such loan for the academic year shall be reduced in accordance with that paragraph.
- (7) Where the application is made during the first quarter of the academic year in respect of which the loan is payable the maximum amount or increased maximum amount of loan (as the case may be) shall be reduced by two thirds, and where the application is made during the second quarter of that year that amount shall be reduced by one third.
- (8) An eligible part-time student may request the Department to convert his eligibility to that of an eligible student under Part II in any case where—
- (a) with the consent of the academic authority the eligible part-time student ceases to undertake his course and starts to attend a course designated by or under regulation 5 at the institution; or
 - (b) with the written consent of the academic authorities of both institutions concerned, given on educational grounds, the eligible part-time student ceases to undertake his course and starts to attend a course designated by or under regulation 5 at another institution.
- (9) Subject to paragraph (10) the Department, on being satisfied of the matters referred to in paragraph (8) and that the second course is a designated course, shall convert the eligible part-time student's eligibility, and thenceforth the student shall for all purposes cease to be an eligible part-time student and shall be an eligible student in connection with his attendance at the second course, whether or not he may have been so eligible if he had applied under regulation 6.
- (10) The Department may, after consulting the academic authority concerned, refuse to convert eligibility where paragraph (8)(a) or (b) applies if it is satisfied that when the student applied for support he did not intend to complete the course to which his application related.
- (11) An eligible part-time student's eligibility as such may not be converted after it has expired or been terminated under regulation 36.
- (12) Where under this regulation an eligible part-time student becomes an eligible student under Part II in the course of an academic year—
- (a) where the Department has determined to pay an amount of grant to the student under regulation 33 in periodic instalments no payment in respect of that amount of grant shall be made in respect of any instalment period beginning after the date on which the student became an eligible student;
 - (b) any loan to which the student is entitled under this Part in respect of that year shall be ignored in determining the amount of support to which he may be entitled in respect of that year under Parts III to V;
 - (c) the maximum amount of any support under Part IV or V to which the student would, apart from this regulation, be entitled in connection with his attendance at a designated course in respect of that academic year shall be reduced by one third, where the student became an eligible student during the second quarter of the academic year, and by two thirds where he became such a student in a later quarter of that year; and

- (d) where an amount of grant for any purpose has been paid to the student under regulation 33 in a single instalment the maximum amount of grant payable to him under regulation 13 for that purpose shall be reduced (or where sub-paragraph (c) applies further reduced) by the amount of grant paid to him for that purpose under regulation 33, and where the resulting amount is nil or a negative amount that amount shall be nil.