
STATUTORY RULES OF NORTHERN IRELAND

2006 No. 312

The Education (Student Support)
Regulations (Northern Ireland) 2006

PART 4

FEE SUPPORT

CHAPTER 1

TYPES OF FEE SUPPORT AVAILABLE

New system students

11.—(1) A new system student qualifies for a fee loan in respect of the fees payable by him in connection with his attendance on a designated course in accordance with Chapter 2 of this Part.

(2) To receive a fee loan, a new system student must enter into a contract with the Department.

Old system students

12.—(1) An old system student qualifies for a grant for fees in respect of the fees payable by him in connection with his attendance on a designated course in accordance with Chapter 3 of this Part.

(2) An old system student qualifies for a fee contribution loan in respect of the fees payable by him in connection with his attendance on a designated course in accordance with Chapter 4 of this Part.

(3) To receive a fee contribution loan, an old system student must enter into a contract with the Department.

Students becoming eligible in the course of an academic year

13. Where one of the events listed in regulation 14 occurs in the course of an academic year—

- (a) a student may qualify for fee support in accordance with this Part in respect of that academic year provided that the relevant event occurred within the first three months of the academic year; and
- (b) fee support is not available in respect of any academic year beginning before the academic year in which the relevant event occurred.

Events

14. The events are—

- (a) the student's course becomes a designated course;
- (b) the student, his spouse, his civil partner or his parent is recognised as a refugee or becomes a person with leave to enter or remain (as defined in Part 1 of Schedule 1);

- (c) a state accedes to the European Community where the student is a national of that state or a family member (as defined in Part 1 of Schedule 1) of a national of that state;
- (d) the student becomes a family member (as defined in Part 1 of Schedule 1) of an EC national;
- (e) the student acquires the right of permanent residence (as defined in Part 1 of Schedule 1);
- (f) the student becomes a person described in paragraph 6(1)(a) of Schedule 1; or
- (g) the student becomes the child of a Swiss national.

Disabled students

15. A disabled student who is undertaking a designated course in the United Kingdom or the Republic of Ireland but who is not in attendance because he is unable to attend for a reason which relates to his disability is treated as if he were in attendance on the designated course for the purpose of qualifying for fee support.

CHAPTER 2

FEE LOANS FOR NEW SYSTEM STUDENTS

Availability of fee loans to new system students - general

16.—(1) A new 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 or the Republic of Ireland for which he received financial support under previous regulations and the exemption in regulation 34(1) or (2) does not apply; or
- (b) the designated course is a flexible postgraduate course for the initial training of teachers.

(2) Notwithstanding paragraph (1) (a) or (b), a new 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 new 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 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 17, 18 or 19.

(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 new 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 new system student who falls within regulation 18 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 new 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 new 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 new 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 20 and may be nil.

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

17.—(1) The standard entitlement of a new system student—

- (a) who has not studied on a previous course; or
- (b) whose current course is a course leading to a degree in social work at an educational institution in Northern Ireland is calculated as follows—

$$OD + 1$$

where

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

(2) Where paragraph (1) (b) applies, regulations 18 and 19 do not apply.

Standard entitlement of new system students who have studied on a previous course

18. The standard entitlement of a new system student who has studied on a previous course and who does not fall within regulation 19 is calculated as follows—

$$(OD + 1) - PC$$

where

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

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

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

19.—(1) This regulation applies to—

- (a) a new 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 new system student who has—
 - (i) completed a full-time course mentioned in paragraph 2 or 3 of Schedule 2;
 - (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 new system student who has—
 - (i) 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 17 and 18 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 current 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

20.—(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) £3,000; 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) £1,500; 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 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 (disregarding intervening vacations) exceeds 30 weeks;
 - (e) an academic year of a course provided by the British Institute in Paris 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 new 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 new 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 new 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 new 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) £3,000 or, where one of the cases set out in paragraph (3) applies, £1,500; 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 new 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) £3,000 or, where one of the cases set out in paragraph (3) applies, £1,500; and
 - (b) the fees payable by the student in connection with that year.
- (10) Where a new 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.

CHAPTER 3

GRANTS FOR FEES FOR OLD SYSTEM STUDENTS

Continuing students and students commencing courses in the Republic of Ireland

21.—(1) This regulation applies where an old system student (a “continuing student”) began a designated course before 1st September 2006 and is continuing on that course after 31st August 2006, or began the current course on or after 1st September 2006 at a relevant institution of higher education in the Republic of Ireland.

(2) A student to whom this regulation applies does not qualify for a grant for fees in respect of any academic year of the course that begins on or after 1st September 2006 where in the course of assessing an application for support in respect of an academic year of the designated course that began before 1st September 2006 the Department determined in accordance with regulations made by it under Article 3 of the Order that the student did not qualify for fee support in respect of the designated course.

(3) A student to whom this regulation applies does not qualify for a grant for fees in respect of a designated course if the designated course is a flexible postgraduate course for the initial training of teachers.

(4) A student to whom this regulation applies does not qualify for a grant for fees in respect of an academic year of a designated course that is a bursary year or an Erasmus year.

(5) When assessing an application for support in respect of an academic year of the designated course that begins after 31st August 2006, the Department must determine the “standard entitlement”.

(6) The standard entitlement is calculated as follows—

$$\frac{(SAY - X) + 1}{2}$$

where

SAY is the number of standard academic years of the designated course that begin after 31st August 2006

X is the number of academic years of the designated course that begin after 31st August 2006 in respect of which the Department determined in accordance with regulations made by it under Article 3 of the Order that the student did not qualify for a grant for fees in the course of assessing an application for support in respect of an academic year of the designated course that began before 1st September 2006.

(7) When assessing an application for support in respect of an academic year of the designated course that begins after 31st August 2006, the Department must allocate a grant for fees 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 grant for fees has been allocated to each standard academic year of the course.

(8) A student to whom this regulation applies qualifies for a grant for fees in respect of a standard academic year of the designated course if the Department allocates a grant for fees to that year when assessing the application for support for that year.

(9) The amount of the grant for fees in respect of an academic year is determined in accordance with regulation 27, 28 or 29 and may be nil.

Transferring students

22.—(1) Subject to paragraph (2), this regulation applies where an old system student (a “transferring student”) begins a designated course on or after 1st September 2006 having had his

status as an eligible student transferred to the course as a result of one or more transfers of that status by the Department pursuant to regulations made by it under Article 3 of the Order from a designated course that he began before 1st September 2006.

(2) This regulation does not apply where an eligible student has transferred from a course in relation to which he was a gap year student to another designated course in accordance with regulations made by the Department under Article 3 of the Order.

(3) Where in the course of assessing an application for support in respect of an academic year of the relevant course, the Department determined in accordance with regulations made by it under Article 3 of the Order that the student did not qualify for fee support in respect of that course, a transferring student does not qualify for a grant for fees in respect of any academic year of the current course.

(4) In this regulation, the “relevant course” is the designated course that the student was taking as at 31st August 2006.

(5) A transferring student does not qualify for a grant for fees in respect of a designated course if the designated course is a flexible postgraduate course for the initial training of teachers.

(6) A transferring student does not qualify for a grant for fees in respect of an academic year of a designated course that is a bursary year or an Erasmus year.

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

(8) The standard entitlement is calculated as follows where the course begins before 1st September 2007 and is not a course listed in paragraph (11)—

$$(RAY - X) + 1$$

where

RAY is the number of standard academic years of the relevant course that remain after 31st August 2006

X is the number of academic years of the relevant course that remain after 31st August 2006 in respect of which the Department determined in accordance with regulations made by it under Article 3 of the Order that the student did not qualify for a grant for fees in the course of assessing an application for support in respect of an academic year of the relevant course where that year began before 1st September 2006.

(9) The standard entitlement is calculated as follows where the course begins on or after 1st September 2007 and is not a course listed in paragraph (11)—

$$(RAY - X - SS) + 1$$

where

RAY is the number of standard academic years of the relevant course that remain after 31st August 2006

X is the number of academic years of the relevant course that remain after 31st August 2006 in respect of which the Department determined in accordance with regulations made by it under Article 3 of the Order that the student did not qualify for a grant for fees in the course of assessing an application for support in respect of an academic year of the relevant course where that year began before 1st September 2006

SS is the number of academic years of study that the student has taken from and including 1st September 2006 in respect of which he qualified for fee support (excluding any years of repeat study for compelling personal reasons) or which were bursary years or Erasmus years.

(10) The standard entitlement is calculated as follows where the course is one listed in paragraph (11)—

$$OD \div 1$$

where

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

(11) The courses are—

- (a) a course for the degree of Bachelor of Education where the student has transferred to that course from a course for the Certificate in Education on or before the completion of the latter course;
- (b) a course for the honours degree of Bachelor of Education where the student has transferred to that course from a course for the degree (other than an honours degree) of Bachelor of Education on or before the completion of the latter course.

(12) When assessing an application for support in respect of an academic year of a designated course, the Department must allocate a grant for fees 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 grant for fees has been allocated to each standard academic year of the course.

(13) A transferring student qualifies for a grant for fees in respect of a standard academic year of the designated course if the Department allocates a grant for fees to that year when assessing the application for support for that year.

(14) The amount of the grant for fees in respect of an academic year is determined in accordance with regulation 27, 28 or 29 and may be nil.

End-on courses

23.—(1) An old system student who is on an end-on course of the kind described in paragraph (a) of the definition of “end-on course” in regulation 2 that he began before 1st September 2006 qualifies for a grant for fees in respect of that course in accordance with regulation 21.

(2) An old system student who is on an end-on course of the kind described in paragraph (c) of the definition of “end-on course” in regulation 2 qualifies for a grant for fees in respect of that course in accordance with regulation 21.

(3) Paragraphs (4) to (10) apply to—

- (a) an old system student in respect of an end-on course of the kind described in paragraph (a) of the definition of “end-on course” in regulation 2 that he begins on or after 1st September 2006;
- (b) an old system student in respect of an end-on course of the kind described in paragraph (b) of the definition of “end-on course” in regulation 2.

(4) An old system student to whom this regulation applies does not qualify for fee support in respect of a course to which this paragraph applies if—

- (a) he has an honours degree from an institution in the United Kingdom or the Republic of Ireland for which he received financial support under previous regulations and the exemption in regulation 34(1) or (2) does not apply; or
- (b) the designated course is a flexible postgraduate course for the initial training of teachers.

(5) An old system student to whom this paragraph applies does not qualify for a grant for fees in respect of an academic year of a course to which this paragraph applies that is a bursary year or an Erasmus year.

(6) When assessing an application for support in respect of an academic year of a course to which this paragraph applies, the Department must determine the “standard entitlement”.

(7) The standard entitlement 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.

(8) When assessing an application for support in respect of an academic year of a course to which this paragraph applies, the Department must allocate a grant for fees 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 grant for fees has been allocated to each standard academic year of the course.

(9) An old system student to whom this paragraph applies qualifies for a grant for fees in respect of a standard academic year of a course to which this paragraph applies if the Department allocates a grant for fees to that year when assessing the application for support for that year.

(10) The amount of the grant for fees in respect of an academic year of a course to which this regulation applies is determined in accordance with regulation 27, 28 or 29 and may be nil.

Gap year students who have not studied on a previous course

24.—(1) This regulation applies to an old system student who is a gap year student who has not studied on a previous course.

(2) A gap year 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 or the Republic of Ireland for which he received financial support under previous regulations and the exemption in regulation 34(1) or (2) does not apply; or

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

(3) A gap year student does not qualify for a grant for fees in respect of an academic year of a designated course that is a bursary year or an Erasmus year.

(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 as follows—

$$OD + 1$$

where

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

(6) When assessing an application for support in respect of an academic year of a designated course, the Department must allocate a grant for fees 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 grant for fees has been allocated to each standard academic year of the course.

(7) A gap year student qualifies for a grant for fees in respect of a standard academic year of the designated course if the Department allocates a grant for fees to that year when assessing the application for support for that year.

(8) The amount of the grant for fees in respect of an academic year is determined in accordance with regulation 27 or 28 and may be nil.

Gap year students who have studied on a previous course

25.—(1) This regulation applies where—

- (a) an old system student is a gap year student who has studied on a previous course;
- (b) an old system student has transferred from a course in relation to which he was a gap year student to another designated course in accordance with regulations made by the Department under Article 3 of the Order.

(2) An old system student to whom this regulation applies 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 or the Republic of Ireland for which he received financial support under previous regulations and the exemption in regulation 34(1) or (2) does not apply; or
- (b) the designated course is a flexible postgraduate course for the initial training of teachers.

(3) An old system student to whom this regulation applies does not qualify for a grant for fees in respect of an academic year of a designated course that is a bursary year or an Erasmus year.

(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 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.

(6) When assessing an application for support in connection with an academic year of a designated course, the Department must allocate a grant for fees 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 grant for fees has been allocated to each standard academic year of the course.

(7) An old system student to whom this regulation applies qualifies for a grant for fees in respect of a standard academic year of the designated course if the Department allocates a grant for fees to that year when assessing the application for support for that year.

(8) In addition to the standard entitlement, an old system student to whom this regulation applies qualifies for a grant for fees 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 an old system student to whom this regulation applies qualifies for a grant for fees under paragraph (8), the Department must not allocate a grant for fees 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) The amount of the grant for fees in respect of an academic year is determined in accordance with regulation 27 or 28 where the eligible student falls within paragraph (1)(a) and in accordance

with regulation 27, 28 or 29 where the eligible student falls within paragraph (1)(b) and in either case the amount may be nil.

Availability of the grant for fees to old system students for years of repeat study

26.—(1) 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, an old system student qualifies for a grant for fees 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.

(2) An old system student qualifies for a grant for fees 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.

(3) 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 grant for fees under regulation 25(8)).

Amount of the grant for fees for a course at a publicly-funded institution in the United Kingdom or relevant institution of higher education in the Republic of Ireland

27.—(1) Unless one of the cases set out in regulation 20(3) applies, the basic amount of the grant for fees in respect of an academic year of a designated course at a publicly-funded institution is the lesser of—

- (a) £1,200; and
- (b) the fees payable by the student in connection with that year.

(2) In the cases set out in regulation 20(3), the basic amount of the grant for fees in respect of an academic year is the lesser of—

- (a) £600; and
- (b) the fees payable by the student in connection with that year.

(3) Where a contribution exceeding nil is calculated under Schedule 4, a deduction will be made from the basic amount of the grant for fees determined under paragraph (1) or (2) in accordance with regulation 76.

(4) Paragraphs (1) to (3) do not apply to designated courses at Heythrop College.

(5) In the case of a designated course at Heythrop College, the amount of the grant for fees in respect of an academic year is £2,145.

(6) In the case of a course in respect of an academic year at a relevant institution of higher education in the Republic of Ireland, an amount specified by the Department in writing.

Amount of the grant for fees for a course that is provided at a private institution on behalf of a publicly-funded institution

28.—(1) The basic amount of the grant for fees in respect of an academic year at a private institution is the lesser of £1,200 and the fees payable by the student in connection with that year if—

- (a) the designated course began on or after 1st September 2001;
 - (b) the designated course is provided on behalf of a publicly-funded institution; and
 - (c) none of the circumstances in regulation 20(3) applies.
- (2) The amount of the grant for fees in respect of an academic year at a private institution is the lesser of £600 and the fees payable by the student in connection with that year if—
- (a) the designated course began on or after 1st September 2001;
 - (b) the designated course is provided on behalf of a publicly-funded institution; and
 - (c) one or more of the circumstances in regulation 20(3) applies.
- (3) Where a contribution exceeding nil is calculated under Schedule 4, a deduction will be made from the basic amount of the grant for fees determined under paragraph (1) or (2) in accordance with regulation 76.

Amount of the grant for fees for a course at a private institution

29.—(1) Subject to paragraphs (2) and (3), the amount of the grant for fees in respect of an academic year of a designated course at a private institution including courses or academic years for the degrees of Bachelor of Divinity, Bachelor of Theology, Bachelor of Arts (Joint Honours) or the Diploma in Theology of the Queen’s University of Belfast, undertaken at the Union Theological College, the Edgehill College, the Irish Baptist College, Belfast or the Belfast Bible College is the lesser of—

- (a) £1,125; and
- (b) the fees payable by the student in connection with that year.

(2) In the case of a designated course at the University of Buckingham, the amount of the grant for fees in respect of an academic year is £2,840.

(3) In the case of a designated course at the Guildhall School of Music, the amount of the grant for fees in respect of an academic year is £4,355.

CHAPTER 4

FEE CONTRIBUTION LOANS FOR OLD SYSTEM STUDENTS

Availability of fee contribution loans to old system students

30. An old system student, other than a student undertaking a course at a relevant institution of higher education in the Republic of Ireland, qualifies for a fee contribution loan in respect of an academic year of a designated course if—

- (a) he qualifies for a grant for fees in respect of that year or would have qualified if he had applied for the grant (even if the amount is or would have been nil); and
- (b) the designated course is provided by or on behalf of an institution that was publicly funded as at 1st August 2005.

Amount of the fee contribution loan

31.—(1) Where an old system student applies for a grant for fees and a fee contribution loan, the amount of the fee contribution loan in respect of an academic year of the designated course is the amount for which the student applies not exceeding the difference between the basic amount of the grant determined under regulation 27 or 28 and the amount of the grant that is payable after the application of the contribution in accordance with regulation 76.

(2) Where the only fee support for which an old system student applies is a fee contribution loan, the maximum amount for which the student may apply in respect of an academic year is the lesser of—

- (a) £1,200 or, if any of the cases set out in regulation 20(3) apply, £600; and
- (b) the fees payable by the student in connection with the academic year.

(3) An old system student may apply to borrow an additional amount of fee contribution loan where—

- (a) the Department determines that the maximum amount of fee contribution loan should be increased (including an increase from nil) as a result of a reassessment of the student's contribution or otherwise; and
- (b) the Department considers that the increase in the maximum amount does not result from the old system student—
 - (i) failing to provide information promptly which might affect his ability to qualify for a grant for fees or fee contribution loan or the amount of grant for fees or fee contribution loan for which he qualifies; or
 - (ii) providing information which is inaccurate in any material particular.

(4) The additional amount under paragraph (3) is an amount which when added to the amount already applied for does not exceed the increased maximum.

(5) Where an old system student has applied for a fee contribution loan of less than the maximum amount to which he is entitled, 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.

CHAPTER 5

INTERPRETATION OF PART 4

Previous course

32.—(1) Subject to the exceptions in paragraphs (3), (4) and (5), a “previous course” is any full-time higher education course or any part-time course for the initial training of teachers which the student began to attend before the current course and which meets any of the conditions in paragraph (2).

(2) The conditions are—

- (a) the course was provided by an institution in the United Kingdom which was publicly funded for some or all of the academic years during which the student took the course;
- (b) the course was provided by an institution in the Republic of Ireland and the student was funded under previous regulations for some or all of the academic years during which he took the course; or
- (c) any scholarship, exhibition, bursary, grant, allowance or award of any description which was paid in respect of the student's attendance on the course to defray fees was from public funds or funds attributable to public funds.

(3) A course which would otherwise be a previous course will not be treated as such if—

- (a) the current course is a course for the initial training of teachers;
- (b) the duration of the current course does not exceed two years (the duration of a part-time course being expressed as its full-time equivalent); and
- (c) the student is not a qualified teacher.

(4) A course for the Certificate in Education which would otherwise be a previous course will not be treated as such if—

- (a) the current course is a course for the degree of Bachelor of Education;
 - (b) the student transferred to the current course from the course for the Certificate in Education before the completion of that course or began the current course on completion of the course for the Certificate in Education.
- (5) A course for the degree (other than an honours degree) of Bachelor of Education will not be treated as a previous course if—
- (a) the current course is a course for the honours degree of Bachelor of Education;
 - (b) the student transferred to the current course from the course for the degree (other than an honours degree) of Bachelor of Education before the completion of that course or began the current course on completion of the course for the degree (other than an honours degree) of Bachelor of Education.
- (6) Subject to paragraphs (7), (8) and (9), for the purpose of determining *PC* in the formulae in regulations 18 and 25—
- (a) each academic year that the student completed on a previous course is counted; and
 - (b) an academic year of a previous course that the student began or ceased to attend part of the way through the year is counted as one academic year on a previous course.
- (7) For the purpose of determining *PC* in the formulae in regulations 18 and 25, an academic year of a previous course is not to be counted as a year spent on a previous course if—
- (a) the student did not qualify for fee support for that year other than because the academic year was a bursary year or an Erasmus year; and
 - (b) the student qualified for fee support for some but not all of the academic years of that previous course.
- (8) For the purpose of determining *PC* in the formulae in regulations 18 and 25, an academic year of a previous course is not to be counted as a year spent on a previous course if it was a year of repeat study that the student was taking for compelling personal reasons or a year in relation to which the student qualified for fee support because he had failed to complete a previous course for compelling personal reasons.
- (9) For the purpose of determining *PC* in the formulae in regulations 18 and 25, where a student transfers from an academic year of one designated course to an academic year of another designated course before the Department considers that he has completed the year from which he is transferring, the time spent by the student during the academic year in which the transfer takes place on the course from which he is transferring is not counted as a year spent on a previous course.
- (10) A student who undertook a previous course but was not in attendance because he was unable to attend for a reason which related to his disability is only treated as if he were in attendance on the previous course in respect of periods of study beginning on or after 1st September 2006.

Bursary year, ordinary duration, preliminary course, qualifying year of study and standard academic year

- 33.**—(1) A “bursary year” is an academic year of a course—
- (a) in relation to which the student is eligible to receive any bursary or award of similar description under Article 44 of the Health and Personal Social Services (Northern Ireland) Order 1972⁽¹⁾ or section 63 of the Health Services and Public Health Act 1968⁽²⁾ the amount of which is calculated by reference to his income; or

(1) [S.I. 1972/1265 \(N.I. 14\)](#)

(2) [1968 c. 46](#); section 63 was amended by the National Health Service (Scotland) Act [1972 \(c. 58\)](#), Schedule 7, the National Health Service Reorganisation Act [1973 \(c. 32\)](#), Schedules 4 and 5, the National Health Service Act [1977 \(c. 49\)](#), Schedules 15 and 16, the National Health Service (Scotland) Act [1978 \(c. 29\)](#), Schedules 16 and 17, the Local Government Act

- (b) in relation to which the student is eligible to receive a Scottish healthcare allowance the amount of which is calculated by reference to his income.
- (2) The “ordinary duration” of a designated course is the number of academic years that a standard student would take to complete the course excluding any academic years of the designated course that are bursary years or Erasmus years.
- (3) A “standard student” is a student who is to be taken—
- (a) to have begun the designated course on the same date as the eligible student in question;
 - (b) not to be excused any part of the course;
 - (c) not to repeat any part of the course; and
 - (d) not to be absent from the course other than during vacations.
- (4) A “preliminary course” is a course mentioned in paragraph 2 or 3 of Schedule 2 that is taken before a full-time degree course (other than a first degree course for the initial training of teachers) or a foundation degree course that is taken before a full-time honours degree course, as the case may be.
- (5) A “qualifying year of study” is an academic year of a course—
- (a) in respect of which the student qualified for fee support (even if the amount was nil);
 - (b) that was a bursary year; or
 - (c) in respect of which the student would have qualified for fee support (even if the amount would have been nil) if he had been an eligible student or the current course had been designated at the beginning of that year.
- (6) A “standard academic year” is an academic year of a designated course (other than an academic year that is a bursary year or an Erasmus year) that would be taken (in whole or in part) by a person who does not repeat any part of the course as from 1st September 2006 and who enters the course at the same point as the eligible student.

Miscellaneous

- 34.**—(1) An eligible student is not prevented from qualifying for fee support under this Part by virtue of having an honours degree from an institution in the United Kingdom or the Republic of Ireland for which he received financial support under previous regulations if—
- (a) the current course is a course for the initial training of teachers;
 - (b) the duration of the current course does not exceed two years (the duration of a part-time course being expressed as its full-time equivalent); and
 - (c) the student is not a qualified teacher.
- (2) Where the current course is considered to be a single course because of regulation 5(5) and (6) and it leads to an honours degree from an institution in the United Kingdom or relevant institution of higher education in the Republic of Ireland being conferred on the eligible student before the final degree or equivalent qualification, the eligible student is not prevented from qualifying for fee

1985 (c. 51), Schedule 17, the Health and Medicines Act 1988 (c. 49), section 20, section 25(2) and Schedule 3, the Local Government (Scotland) Act 1994 (c. 39), Schedule 13, the Health Authorities Act 1995 (c. 17), Schedule 1, the Local Government Reorganisation (Wales) (Consequential Amendments No. 2) Order 1996 (S.I. 1996/1008), the National Health Service (Primary Care) Act 1997 (c. 46), Schedule 2, the Health Act 1999 (c. 8), Schedule 4, the Health and Social Care Act 2001 (c. 15), Schedule 5, the National Health Service Reform and Social Care Professions Act 2002 (c. 17), Schedules 2, 5 and 9, the National Health Service Reform and Health Care Professions Act 2002 (Supplementary, Consequential etc Provisions) Regulations 2002 (S.I. 2002/2469), Schedule 1, the Health and Social Care (Community Health and Standards) Act 2003 (c. 43), Schedules 4, 11 and 14, the Health and Social Care (Community Health and Standards) Act 2003 Commencement (No. 2) Order 2004 (S.I. 2004/288), article 7, the Health and Social Care (Community Health and Standards) Act 2003 (Commencement No. 1) (Wales) Order 2004 (S.I. 2004/480), article 6 and the Primary Medical Services (Scotland) Act 2004 (Consequential Modifications) Order 2004 (S.I. 2004/957), the Schedule

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

support under this Part in respect of any part of the single course by virtue of having that honours degree.

(3) For the purposes of calculating the amount of fee support, an institution that provides courses designated by regulation 4 of the Education (Student Support) (Dance and Drama) Regulations 1999⁽³⁾ is not to be regarded as publicly funded by reason only that it receives public funds from the governing body of a higher education institution in accordance with section 65(3A) of the Further and Higher Education Act 1992⁽⁴⁾.

(4) Where an institution allows an eligible student to study the content of one standard academic year of the designated course over two or more academic years, for the purpose of determining whether the student qualifies for fee support for those years, the last of such years of study is to be treated as a standard academic year and the preceding years of that kind are to be treated as years of repeat study other than for compelling personal reasons.

(3) S.I. 1999/2263, amended by S.I. 2001/2893.

(4) 1992 c. 13; section 65(3A) was inserted by the Teaching and Higher Education Act 1998 (c. 30), section 27.