
STATUTORY RULES OF NORTHERN IRELAND

2008 No. 250

The Education (Student Support)
Regulations (Northern Ireland) 2008

PART 4

FEE SUPPORT

CHAPTER 5

INTERPRETATION OF PART 4

Previous course

35.—(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 or, in the case of a compressed degree course or a designated distance learning course, undertake before the current course and which meets any of the conditions in paragraph (2).

(2) The conditions are—

- (a) the course is 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; or
- (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 attending or, in the case of a compressed degree course or a designated distance learning course, undertaking 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 (including an honours 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 21 and 28—

- (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 21 and 28, 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 21 and 28, 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 21 and 28, 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 had been in attendance on the previous course in respect of periods of study beginning on or after 1st September 2006.

Miscellaneous

36.—(1) An eligible student is not prevented from qualifying for fee support under this Part—

- (a) by virtue of having an honours degree from an institution in the United Kingdom if—
 - (i) the current course is a course for the initial training of teachers;
 - (ii) 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
 - (iii) the student is not a qualified teacher.
- (b) by virtue of having an honours degree from an institution in the Republic of Ireland for which he received financial support under previous regulations if—
 - (i) the current course is a course for the initial training of teachers;
 - (ii) 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
 - (iii) the student is not a qualified teacher.

(2) Where the current course is considered to be a single course because of regulation 6(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 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⁽¹⁾ 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⁽²⁾.

(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.

(1) [S.I. 1999/2263](#), amended by [S.I. 2001/2893](#).

(2) [1992 c. 13](#); section 65(3A) was inserted by the Teaching and Higher Education Act [1998 \(c. 30\)](#), section 27.