
STATUTORY RULES OF NORTHERN IRELAND

2008 No. 250

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

PART 6

LOANS FOR LIVING COSTS

CHAPTER 4

MISCELLANEOUS

Quarters in respect of which the loan for living costs is payable

71.—(1) Subject to regulation 74, the loan for living costs and the long courses loan are payable in respect of three quarters of the academic year.

(2) The loan for living costs is not payable—

- (a) in the case of a compressed degree student, in respect of the quarter nominated by the Department;
- (b) in any other case, in respect of the quarter in which, in the opinion of the Department, the longest of any vacation occurs.

(3) The long courses loan is not payable in respect of the quarter nominated by the Department.

Students falling into more than one category

72. Where an eligible student falls into more than one of the categories set out in regulation 78 in the course of the academic year—

- (a) the maximum amount of loan for living costs for the academic year is the aggregate of the maximum amount of loan for living costs for each quarter in respect of which the loan for living costs is payable;
- (b) the maximum amount of loan for living costs for each such quarter is one third of the maximum amount of loan for living costs which would apply for the academic year if the student fell into the category which applies to the relevant quarter for the duration of the academic year;
- (c) the maximum amount of long courses loan for the academic year is the aggregate of the maximum amount of long courses loan for each quarter in respect of which the long courses loan is payable;
- (d) the maximum amount of long courses loan for each such quarter is one third of the maximum amount of long courses loan which would apply for the academic year if the student fell into the category which applies to the relevant quarter for the duration of the academic year; and
- (e) the category which applies to a quarter is—

- (i) the category into which the student falls for the longer or longest period in that quarter; or
- (ii) if the student falls into more than one category for an equal period in that quarter, the category with the higher or highest rate of loan for living costs for the academic year.

Students residing with parents

73.—(1) Where an eligible student resides at his parents' home and the Department is satisfied that in all the circumstances his parents by reason of age, incapacity or otherwise cannot reasonably be expected to support him and that it would be appropriate for the amount of loan for living costs or long courses loan payable to a student in a category other than category A to apply in his case, the student must be treated as if he were not residing at his parents' home for the purposes of this Part.

Students becoming eligible in the course of an academic year

74.—(1) Where one of the events listed in paragraph (2) occurs in the course of an academic year, a student may qualify for a loan for living costs in respect of such quarters in respect of which a loan for living costs is payable as begin after the relevant event occurs.

(2) 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;
- (c) the state of which the student is a national accedes to the European Community where the student has been ordinarily resident in the United Kingdom and Islands throughout the three-year period immediately preceding the first day of the first academic year of the course;
- (d) the student acquires the right of permanent residence;
- (e) the student becomes the child of a Turkish worker;
- (f) the student becomes a person described in paragraph 6(1)(a) of Part 2 of Schedule 2; or
- (g) the student becomes the child of a Swiss national.

(3) An eligible student to whom paragraph (1) applies does not qualify for a loan for living costs in respect of any academic year beginning before the academic year in which the relevant event occurred.

(4) The maximum amount of loan for living costs payable is the aggregate of the maximum amount of loan for living costs for each quarter in respect of which the student qualifies for the loan for living costs under this regulation.

(5) The maximum amount of loan for living costs for each quarter is one third of the maximum amount of loan for living costs which would apply for the academic year if the student fell into the category which applies to the relevant quarter for the duration of the academic year.

(6) The maximum amount of long courses loan payable is the aggregate of the maximum amount of long courses loan for each quarter in respect of which the student qualifies for the long courses loan under this regulation.

(7) The maximum amount of long courses loan for each quarter is one third of the maximum amount of long courses loan which would apply for the academic year if the student fell into the category which applies to the relevant quarter for the duration of the academic year.

Students who are treated as in attendance on a course

75.—(1) A student to whom this regulation applies is treated as if he were in attendance on the designated course for the purpose of qualifying for the loan for living costs or the long courses loan.

(2) This regulation applies to—

- (a) a compressed degree student;
- (b) a disabled student who—
 - (i) is not a compressed degree student; and
 - (ii) is undertaking a designated course in the United Kingdom or the Republic of Ireland but is not in attendance because he is unable to attend for a reason which relates to his disability.

Deductions from loans for living costs

76.—(1) A deduction from the amount of loan for living costs calculated under this Part in respect of a current system student with full entitlement or an old system student with full entitlement may be made in accordance with Part 9.

(2) There is no deduction under Part 9 from the amount of loan for living costs calculated under this Part in respect of a student with reduced entitlement.

Applying for an additional amount of loan for living costs or long courses loan

77.—(1) An eligible student may apply to borrow an additional amount of loan for living costs or long courses loan where—

- (a) the Department determines that the maximum amount of loan for living costs or long courses loan in relation to an academic year 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 of the loan or loans in question does not result from the eligible student—
 - (i) failing to provide information promptly which might affect his ability to qualify for the loan or loans in question or the amount of loan or loans in question for which he qualifies; or
 - (ii) providing information that is inaccurate in any material particular.

(2) The additional amount under paragraph (1) is an amount which when added to the amount already applied for does not exceed the increased maximum.

(3) Where an eligible student has applied for a loan for living costs or long courses loan of less than the maximum amount to which he is entitled in relation to the 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.

Categories of student

78. In this Part—

- (a) a student is in category A if he resides at his parents' home while attending the designated course or if he is a member of a religious order who resides in a house of that order;
- (b) a student is in category B if he is not in category A and he attends one or more of the following—
 - (i) a course at the University of London;

- (ii) a course at an institution which requires attendance for at least half the time in aggregate of any quarter of the course in the academic year at a site wholly or partly within the area comprising the City of London and the former Metropolitan Police District; or
- (iii) a sandwich course at an institution which requires the eligible student to undertake work experience or a combination of work experience and study provided that he undertakes such work experience or combination of work experience and study for at least half the time in aggregate of any quarter of the course in the academic year at a site or sites wholly or partly within the area comprising the City of London and the former Metropolitan Police District;
- (c) a student is in category C if he is not in category A and—
 - (i) he attends as part of his course an overseas institution; or
 - (ii) he attends the Institute;
- (d) a student is in category D if he is not in categories A to C.

Interpretation of Part 6

79. In this Part—

- (a) a “current system student with full entitlement” is a current system student other than a student with reduced entitlement;
- (b) an “old system student with full entitlement” is an old system student other than a student with reduced entitlement;
- (c) the “relevant date” means the first day of the first academic year of the specified designated course;
- (d) a “student with reduced entitlement” is an eligible student who—
 - (i) does not qualify for a grant for living and other costs in respect of the academic year because of regulation 39(3)(a) or (b) or 39(5); or
 - (ii) opts when applying for a loan for living costs not to provide the information needed to calculate the household income;
- (e) where the duration of a graduate-entry or postgraduate-level course for the initial training of teachers is only one academic year, that year is not to be treated as the final year.