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STATUTORY RULES OF NORTHERN IRELAND

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**2009 No. 37**

**The Education (Student Support)  
Regulations (Northern Ireland) 2009**

**PART 12**

**SUPPORT FOR PART-TIME COURSES**

**Designated part-time courses**

**127.**—(1) Subject to paragraphs (2) and (3), a part-time course is designated for the purposes of Article 3(1) of the Order and regulation 125 if—

- (a) it is a course mentioned in Schedule 3 other than a course for the initial training of teachers;
- (b) it is of at least one academic year's duration;
- (c) it is ordinarily possible to complete the course in not more than twice the period ordinarily required to complete the full-time equivalent;
- (d) it is wholly provided by a publicly funded educational institution or institutions in the United Kingdom or is provided by such institution or institutions in conjunction with an institution or institutions outside the United Kingdom;
- (e) it is not designated by or under regulation 6; and
- (f) it is not designated under regulation 110.

(2) A course falling within paragraph 7 or 8 of Schedule 3 is not a designated part-time course where the governing body of a school has arranged for the provision of such a course to a pupil of the school.

(3) A course that is taken as part of an employment-based teacher training scheme is not a designated part-time course.

(4) A first degree course is not a designated course where—

- (a) it leads to the award of a professional qualification;
- (b) a first degree (or equivalent qualification) would normally be required for entry to a course leading to the award of that professional qualification; and
- (c) the current course begins on or after 1st September 2009.

(5) For the purposes of paragraph (1)—

- (a) a course is provided by an institution if it provides the teaching and supervision which comprise the course, whether or not the institution has entered into an agreement with the student to provide the course;
- (b) a university and any constituent college or institution in the nature of a college of a university is to be regarded as publicly funded if either the university or the constituent college or institution is publicly funded; and

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**Changes to legislation:** *The Education (Student Support) Regulations (Northern Ireland) 2009, Section 127 is up to date with all changes known to be in force on or before 19 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (c) an institution 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(1).
- (6) For the purposes of paragraph (1)(c)—
- (a) “full-time equivalent” means a full-time course leading to the same qualification as the part-time course in question;
  - (b) “period ordinarily required to complete the full-time equivalent” means—
    - (i) where the course is provided by or on behalf of the Open University, the period that a standard full-time student would require to complete the full-time equivalent if that student were awarded 120 credit points in each academic year;
    - (ii) where the course is provided by or on behalf of any other institution, the period in which a standard full-time student would complete the full-time equivalent;
  - (c) “standard full-time student” is a student who is to be taken—
    - (i) to have begun the full-time equivalent on the same date as the eligible part-time student began the part-time course in question;
    - (ii) not to have been excused any part of the full-time equivalent;
    - (iii) not to have repeated any part of the full-time equivalent; and
    - (iv) not to be absent from the full-time equivalent other than during vacations.
- (7) For the purposes of Article 3 of the Order and regulation 125(1) the Department may designate courses of higher education which are not designated by paragraph (1).

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**Commencement Information**

**II** Reg. 127 in operation at 12.3.2009 with application in accordance with reg. 1(4)

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(1) 1992 c. 13; section 65(3A) was inserted by the Teaching and Higher Education Act 1998 (c. 30), section 27

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**Changes and effects yet to be applied to :**

- Regulations revoked by [S.R. 2009/373 reg. 4\(1\)](#)

**Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:**

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- Sch. 2 Pt. 2 para. 4(1)(b) text amended by [S.R. 2009/373 Sch. 1 para. 4](#)
- reg. 112(7A)(7B) inserted by [S.R. 2009/373 Sch. 1 para. 2\(c\)](#)
- reg. 129(6A)(6B) inserted by [S.R. 2009/373 Sch. 1 para. 3\(c\)](#)