

Changes to legislation: The Education (Student Support) Regulations (Northern Ireland) 2009 is up to date with all changes known to be in force on or before 08 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

SCHEDULE 1

Regulation 3

AMENDMENT OF THE EDUCATION (STUDENT SUPPORT) (NORTHERN IRELAND) REGULATIONS 2008

1. The Education (Student Support) Regulations (Northern Ireland) 2008 are amended by paragraphs 2 to 12.

Commencement Information

I1 Sch. 1 para. 1 in operation at 27.2.2009, see [reg. 1\(2\)](#)

2. In regulation 4(5)(b) (Revocation, savings and transitional provisions) omit the word “was”.

Commencement Information

I2 Sch. 1 para. 2 in operation at 27.2.2009, see [reg. 1\(2\)](#)

3.—(1) Regulation 5 (Eligible Students) is amended by sub-paragraphs (2) and (3).

(2) In paragraph (10)(a)(i) omit the word “or” and insert—

“(iA) an eligible distance learning student in connection with a designated distance learning course; or”.

(3) In paragraph (10)(b) after “as an eligible part-time student”, insert “, as an eligible distance learning student”.

Commencement Information

I3 Sch. 1 para. 3 in operation at 27.2.2009, see [reg. 1\(2\)](#)

4.—(1) Regulation 18 (Availability of fee loans to current system students – general) is amended by sub-paragraphs (2) and (3).

(2) In paragraph (9) for “paragraph (7)” substitute “paragraph (8)” and for “paragraph (5)” substitute paragraph (6)”.

(3) In paragraph (12) for “paragraph (7)” substitute “paragraph (8)”.

Commencement Information

I4 Sch. 1 para. 4 in operation at 27.2.2009, see [reg. 1\(2\)](#)

5. In regulation 63(2)(b) (Qualifying conditions for the loan for living costs – current system students) for “in the United Kingdom” substitute “at an institution in Northern Ireland”.

Commencement Information

I5 Sch. 1 para. 5 in operation at 27.2.2009, see [reg. 1\(2\)](#)

6. In regulation 64(3)(b) (Qualifying conditions for the loan for living costs – old system students) for “in the United Kingdom” substitute “at an institution in Northern Ireland”.

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Commencement Information

I6 Sch. 1 para. 6 in operation at 27.2.2009, see [reg. 1\(2\)](#)

7.—(1) Regulation 70 (Long courses loan) is amended by sub-paragraphs (2) to (7).

(2) For the Chapter Heading above regulation 70 “LONG COURSES LOAN” substitute “ADDITIONAL AMOUNT OF LOAN FOR LIVING COSTS”.

(3) For the heading to regulation 70 “Long courses Loan” substitute “Additional amount of loan for living costs”.

(4) In paragraph (1) for “a long courses loan” substitute “an additional amount of loan for living costs”.

(5) In paragraph (2) for “amount of the long courses loan” substitute “additional amount of loan for living costs”.

(6) After paragraph (5) insert—

“(5A) Where an eligible student attends a course at the University of Ulster for a period not exceeding 6 weeks during the summer vacation and the Department is satisfied that the course is one which is included under the university’s summer teaching scheme, the amounts shall be increased for each week or part week of such attendance—

(a) for a student in Category A, by £53; or

(b) for a student in Category D, by £81.”

(7) In paragraph (6) for “amount of long courses loan” substitute “additional amount of loan for living costs”.

Commencement Information

I7 Sch. 1 para. 7 in operation at 27.2.2009, see [reg. 1\(2\)](#)

8. In regulation 97 (Payment of grants for living and other costs), after paragraph (7) insert—

“(7A) – (1) Subject to paragraph (7C), no support under Part 5 is due in respect of any day of an academic year on which the eligible student is a prisoner, unless in the opinion of the Department it would be appropriate in all the circumstances for support to be paid in respect of that day.

(7B) Paragraph (7A) does not apply in respect of disabled student’s allowance.

(7C) In deciding whether it would be appropriate for support to be due under paragraph (7A) the circumstances to which the Department must have regard include the financial hardship not paying the support would cause and whether not paying the support would affect the student’s ability to continue the course.”

Commencement Information

I8 Sch. 1 para. 8 in operation at 27.2.2009, see [reg. 1\(2\)](#)

9. In regulation 103 (Payment of loans for living costs and additional amount of loan for living costs), after paragraph (8) insert—

“(8A) Subject to paragraph (8B), no support under Part 6 is due in respect of any day of an academic year on which the eligible student is a prisoner, unless in the opinion of

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the Department it would be appropriate in all the circumstances for support to be paid in respect of that day.

(8B) In deciding whether it would be appropriate for support to be due under paragraph (8A) the circumstances to which the Department must have regard include the financial hardship which not paying the support would cause and whether not paying the support would affect the student's ability to continue the course."

Commencement Information

I9 Sch. 1 para. 9 in operation at 27.2.2009, see [reg. 1\(2\)](#)

10.—(1) Regulation 113 (Amount of support) is amended by sub-paragraphs (2) to (4).

(2) In paragraph (1)(a)(i) omit the word "or".

(3) In paragraph (1)(a)(ii) omit the word "or".

(4) In paragraph (1)(a)(iii) after the words "rates relief;" insert—

"or

(iv) under Part 1 of the Welfare Reform Act (Northern Ireland) 2007⁽¹⁾ to an income-related employment and support allowance;"

Commencement Information

I10 Sch. 1 para. 10 in operation at 27.2.2009, see [reg. 1\(2\)](#)

11.—(1) Regulation 125 (Eligible part-time students) is amended by sub-paragraphs (2) to (4).

(2) In paragraph (9)(a)(i) omit the word "or" and insert—

"(iA) an eligible distance learning student in connection with a designated distance learning course other than the current designated distance learning course; or"

(3) In paragraph (9)(b) after "as an eligible student", insert ", as an eligible distance learning student".

(4) In paragraph (12) for "1st September 2008" substitute "1st September 2007".

Commencement Information

I11 Sch. 1 para. 11 in operation at 27.2.2009, see [reg. 1\(2\)](#)

12.—(1) Regulation 130 (Amount of assistance) is amended by sub-paragraphs (2) to (4).

(2) In paragraph (5)(a)(i) omit the word "or".

(3) In paragraph (5)(a)(ii) omit the word "or".

(4) In paragraph 5(a)(iii) after the words "rates relief;" insert—

"or

(iv) under Part 1 of the Welfare Reform Act (Northern Ireland) 2007 to an income-related employment and support allowance;"

(1) [N.I. c.2](#)

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Commencement Information

I12 Sch. 1 para. 12 in operation at 27.2.2009, see [reg. 1\(2\)](#)

SCHEDULE 2

Regulations 5, 108, 125 and 142

ELIGIBLE STUDENTS

PART 1

Interpretation

1.—(1) For the purposes of this Schedule—

“EEA frontier self-employed person” means an EEA national who—

- (a) is a self-employed person in Northern Ireland; and
- (b) resides in Switzerland or the territory of an EEA State other than the United Kingdom and returns to the national’s residence in Switzerland or that EEA State, as the case may be, daily or at least once a week;

“EEA frontier worker” means an EEA national who—

- (a) is a worker in Northern Ireland; and
- (b) resides in Switzerland or the territory of an EEA State other than the United Kingdom and returns to the national’s residence in Switzerland or that EEA State, as the case may be, daily or at least once a week;

“EEA migrant worker” means an EEA national who is a worker, other than an EEA frontier worker, in the United Kingdom;

“EEA national” means a national of an EEA State other than the United Kingdom;

“EEA self-employed person” means an EEA national who is a self-employed person, other than an EEA frontier self-employed person, in the United Kingdom;

“employed person” means an employed person within the meaning of Annex 1 to the Swiss Agreement;

“European Economic Area” means the area comprised by the EEA States;

“family member” unless otherwise indicated, means—

- (a) in relation to an EEA frontier worker, an EEA migrant worker, an EEA frontier self-employed person or an EEA self-employed person—
 - (i) that person’s spouse or civil partner;
 - (ii) that person’s child or the child of their spouse or civil partner; or
 - (iii) dependent direct relatives in the ascending line of that person or that of the person’s spouse or civil partner;
- (b) in relation to a Swiss employed person, a Swiss frontier employed person, a Swiss frontier self-employed person or a Swiss self-employed person—
 - (i) that person’s spouse or civil partner; or
 - (ii) that person’s child or the child of that person’s spouse or civil partner;

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- (c) in relation to an EC national who falls within the meaning of article 7(1)(c) of Directive 2004/38—
 - (i) that person’s spouse or civil partner; or
 - (ii) direct descendants of the person or of the person’s spouse or civil partner who are—
 - (aa) under the age of 21; or
 - (bb) dependants of the person or the person’s spouse or civil partner;
- (d) in relation to an EC national who falls within the meaning of article 7(1)(b) of Directive 2004/38—
 - (i) that person’s spouse or civil partner;
 - (ii) direct descendants of the person or of the person’s spouse or civil partner who are—
 - (aa) under the age of 21; or
 - (bb) dependents of the person or the person’s spouse or civil partner; or
 - (iii) dependent direct relatives in the person’s ascending line or that of the person’s spouse or civil partner;
- (e) in relation to a United Kingdom national, for the purposes of paragraph 9—
 - (i) the person’s spouse or civil partner; or
 - (ii) direct descendants of the person or the person’s spouse or civil partner who are—
 - (aa) under the age of 21; or
 - (bb) dependants of the person or the person’s spouse or civil partner;

“self-employed person” means—

- (a) in relation to an EEA national, a person who is self-employed within the meaning of article 7 of Directive 2004/38 or the EEA Agreement, as the case may be; or
- (b) in relation to a Swiss national, a person who is a self-employed person within the meaning of Annex 1 to the Swiss Agreement;

“settled” has the meaning given by section 33(2A) of the Immigration Act 1971⁽²⁾;

“Swiss Agreement” means the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the Free Movement of Persons signed at Luxembourg on 21st June 1999⁽³⁾ and which came into force on 1st June 2002;

“Swiss employed person” means a Swiss national who is an employed person, other than a Swiss frontier employed person, in the United Kingdom;

“Swiss frontier employed person” means a Swiss national who—

- (a) is an employed person in Northern Ireland; and
- (b) resides in Switzerland or in the territory of an EEA State other than the United Kingdom and returns to the national’s residence in Switzerland or that EEA State, as the case may be, daily or at least once a week;

“Swiss frontier self-employed person” means a Swiss national who—

- (a) is a self-employed person in Northern Ireland; and
- (b) resides in Switzerland or in the territory of an EEA State, other than the United Kingdom, and returns to the national’s residence in Switzerland or that EEA State, as the case may be, daily or at least once a week;

⁽²⁾ 1971 c. 77; section 33(2A) was inserted by paragraph 7 of Schedule 4 to the British Nationality Act 1981 (c. 61)

⁽³⁾ Cm. 4904

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“Swiss self-employed person” means a Swiss national who is a self-employed person, other than a Swiss frontier self-employed person, in the United Kingdom

“worker” means a worker within the meaning of article 7 of Directive 2004/38 or the EEA Agreement as the case may be.

(2) For the purposes of this Schedule, “parent” includes a guardian, any other person having parental responsibility for a child and any person having care of a child and “child” is to be construed accordingly.

(3) For the purposes of this Schedule, a person who is ordinarily resident in Northern Ireland, England, Wales, Scotland or the Islands, as a result of having moved from another of those areas for the purpose of undertaking—

- (a) the current course; or
- (b) a course which, disregarding any intervening vacation, the person undertook immediately before undertaking the current course,

is to be considered to be ordinarily resident in the place from which the person moved.

(4) For the purposes of this Schedule, a person (“A”) is to be treated as ordinarily resident in Northern Ireland, the United Kingdom and Islands, the territory comprising the European Economic Area and Switzerland or the territory comprising the European Economic Area, Switzerland and Turkey if A would have been so resident but for the fact that—

- (a) A;
- (b) A’s spouse or civil partner;
- (c) A’s parent; or
- (d) in the case of a dependent direct relative in the ascending line, A’s child or child’s spouse or civil partner,

is or was temporarily employed outside the area in question.

(5) For the purposes of sub-paragraph (4), temporary employment outside of Northern Ireland, the United Kingdom and Islands, the territory comprising the European Economic Area and Switzerland or the territory comprising the European Economic Area, Switzerland and Turkey includes—

- (a) in the case of members of the regular naval, military or air forces of the Crown, any period which they serve outside the United Kingdom as members of such forces; and
- (b) in the case of members of the regular armed forces of an EEA State or Switzerland, any period which they serve outside of the territory comprising the European Economic Area and Switzerland as members of such forces; and
- (c) in the case of members of the regular armed forces of Turkey, any period which they serve outside of the territory comprising the European Economic Area, Switzerland and Turkey as members of such forces.

(6) For the purposes of this Schedule an area which —

- (a) was previously not part of the European Community or the European Economic Area; but
- (b) at any time before or after these Regulations come into operation has become part of one or other or both of these areas,

is to be considered to have always been a part of the European Economic Area.

Commencement Information

I13 Sch. 2 para. 1 in operation at 12.3.2009 with application in accordance with reg. 1(4)

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PART 2

Categories

Persons who are settled in the United Kingdom

- 2.—(1) A person who on the first day of the first academic year of the course—
- (a) is settled in the United Kingdom other than by reason of having acquired the right of permanent residence;
 - (b) is ordinarily resident in Northern Ireland;
 - (c) has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course; and
 - (d) subject to sub-paragraph (2), whose residence in the United Kingdom and Islands has not during any part of the period referred to in paragraph (c) been wholly or mainly for the purpose of receiving full-time education.

(2) Paragraph (d) of sub-paragraph (1) does not apply to a person who is treated as being ordinarily resident in the United Kingdom and Islands in accordance with paragraph 1(4).

Commencement Information

I14 Sch. 2 para. 2 in operation at 12.3.2009 with application in accordance with reg. 1(4)

3. A person who—
- (a) is settled in the United Kingdom by virtue of having acquired the right of permanent residence;
 - (b) is ordinarily resident in Northern Ireland on the first day of the first academic year of the course;
 - (c) has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course; and
 - (d) in a case where the person's ordinary residence referred to in paragraph (c) was wholly or mainly for the purpose of receiving full-time education, was ordinarily resident in the territory comprising the European Economic Area and Switzerland immediately before the period of ordinary residence referred to in paragraph (c).

Commencement Information

I15 Sch. 2 para. 3 in operation at 12.3.2009 with application in accordance with reg. 1(4)

Commencement Information

I14 Sch. 2 para. 2 in operation at 12.3.2009 with application in accordance with reg. 1(4)
I15 Sch. 2 para. 3 in operation at 12.3.2009 with application in accordance with reg. 1(4)

Refugees and their family members

- 4.—(1) A person—
- (a) who is a refugee;

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- (b) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since the student was recognised as a refugee; and
 - (c) who is ordinarily resident in Northern Ireland on the first day of the first academic year of the course.
- (2) A person—
- (a) who is the spouse or civil partner of a refugee;
 - (b) who was the spouse or civil partner of the refugee on the date on which the refugee made the application for asylum;
 - (c) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
 - (d) who is ordinarily resident in Northern Ireland on the first day of the first academic year of the course.
- (3) A person—
- (a) who is the child of a refugee or the child of the spouse or civil partner of a refugee;
 - (b) who, on the date on which the refugee made the application for asylum, was the child of the refugee or the child of a person who was the spouse or civil partner of the refugee on that date;
 - (c) who was under 18 on the date on which the refugee made the application for asylum;
 - (d) who is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
 - (e) who is ordinarily resident in Northern Ireland on the first day of the first academic year of the course.

Commencement Information

I16 Sch. 2 para. 4 in operation at 12.3.2009 with application in accordance with reg. 1(4)

Persons with leave to enter or remain and their family members

- 5.—(1) A person—
- (a) with leave to enter or remain;
 - (b) who is ordinarily resident in Northern Ireland on the first day of the first academic year of the course; and
 - (c) who has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course.
- (2) A person—
- (a) who is the spouse or civil partner of a person with leave to enter or remain;
 - (b) who was the spouse or civil partner of the person with leave to enter or remain on the date on which that person made the application for asylum;
 - (c) who is ordinarily resident in Northern Ireland on the first day of the first academic year of the course; and
 - (d) who has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course.
- (3) A person—

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- (a) who is the child of a person with leave to enter or remain or the child of the spouse or civil partner of a person with leave to enter or remain;
- (b) who, on the date on which the person with leave to enter or remain made the application for asylum, was the child of that person or the child of a person who was the spouse or civil partner of the person with leave to enter or remain on that date;
- (c) who was under 18 on the date on which the person with leave to enter or remain made the application for asylum;
- (d) who is ordinarily resident in Northern Ireland on the first day of the first academic year of the course; and
- (e) who has been ordinarily resident in the United Kingdom and Islands throughout the three-year period preceding the first day of the first academic year of the course.

Commencement Information

I17 Sch. 2 para. 5 in operation at 12.3.2009 with application in accordance with reg. 1(4)

Workers, employed persons, self-employed persons and their family members

6.—(1) A person who—

- (a) is—
 - (i) an EEA migrant worker or an EEA self-employed person;
 - (ii) a Swiss employed person or a Swiss self-employed person;
 - (iii) a family member of a person mentioned in paragraph (i) or (ii);
 - (iv) an EEA frontier worker or an EEA frontier self-employed person;
 - (v) a Swiss frontier employed person or a Swiss frontier self-employed person; or
 - (vi) a family member of a person mentioned in paragraph (iv) or (v);
- (b) subject to sub-paragraph (2), is ordinarily resident in Northern Ireland on the first day of the first academic year of the course; and
- (c) has been ordinarily resident in the territory comprising the European Economic Area and Switzerland throughout the three-year period preceding the first day of the first academic year of the course.

(2) Paragraph (b) of sub-paragraph (1) does not apply where the person applying for support falls within paragraph (a)(iv), (v) or (vi) of sub-paragraph (1).

Commencement Information

I18 Sch. 2 para. 6 in operation at 12.3.2009 with application in accordance with reg. 1(4)

7. A person who—

- (a) is ordinarily resident in Northern Ireland on the first day of the first academic year of the course;
- (b) has been ordinarily resident in the territory comprising the European Economic Area and Switzerland throughout the three-year period preceding the first day of the first academic year of the course; and

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- (c) is entitled to support by virtue of Article 12 of [Council Regulation \(EEC\) No. 1612/68](#) on the freedom of movement of workers⁽⁴⁾, as extended by the EEA Agreement.

Commencement Information

I19 Sch. 2 para. 7 in operation at 12.3.2009 with application in accordance with reg. 1(4)

Commencement Information

I18 Sch. 2 para. 6 in operation at 12.3.2009 with application in accordance with reg. 1(4)

I19 Sch. 2 para. 7 in operation at 12.3.2009 with application in accordance with reg. 1(4)

Persons who are settled in the United Kingdom and have exercised a right of residence elsewhere

8.—(1) A person who—

- (a) is settled in the United Kingdom;
- (b) was ordinarily resident in Northern Ireland and settled in the United Kingdom immediately before leaving the United Kingdom and who has exercised a right of residence;
- (c) is ordinarily resident in the United Kingdom on the day on which the first term of the first academic year actually begins;
- (d) has been ordinarily resident in the territory comprising the European Economic Area and Switzerland throughout the three-year period preceding the first day of the first academic year of the course; and
- (e) in a case where the person's ordinary residence referred to in paragraph (d) was wholly or mainly for the purposes of receiving full-time education, was ordinarily resident in the territory comprising the European Economic Area and Switzerland immediately before the period of ordinary residence referred to in paragraph (d).

(2) For the purposes of this paragraph, a person has exercised a right of residence if that person is a United Kingdom national, a family member of a United Kingdom national for the purposes of Article 7 of Directive 2004/38 (or corresponding purposes under the EEA Agreement or Swiss Agreement) or a person who has a right of permanent residence who in each case has exercised a right under Article 7 of Directive 2004/38 or any equivalent right under the EEA Agreement or Swiss Agreement in a state other than the United Kingdom or, in the case of a person who is settled in the United Kingdom and has a right of permanent residence, if the person goes to the state within the territory comprising the European Economic Area and Switzerland of which the person is a national or of which the person in relation to whom the person is a family member is a national.

Commencement Information

I20 Sch. 2 para. 8 in operation at 12.3.2009 with application in accordance with reg. 1(4)

EC nationals

9.—(1) A person who—

- (a) is either—

⁽⁴⁾ OJ No L257, 19.10.1968, p2 (OJ/SE 1968 (II) p475)

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- (i) an EC national on the first day of the first academic year of the course; or
 - (ii) a family member of a such a person;
- (b) is—
- (i) attending a designated course in Northern Ireland; or
 - (ii) undertaking a compressed degree course, designated part-time course or a designated postgraduate course in Northern Ireland;
- (c) has been ordinarily resident in the territory comprising the European Economic Area and Switzerland throughout the three-year period preceding the first day of the first academic year of the course; and
- (d) subject to sub-paragraph (2), whose ordinary residence in the territory comprising the European Economic Area and Switzerland has not during any part of the period referred to in paragraph (c) been wholly or mainly for the purpose of receiving full-time education.

(2) Paragraph (d) of sub-paragraph (1) does not apply to a person who is treated as being ordinarily resident in the territory comprising the European Economic Area and Switzerland in accordance with paragraph 1(4).

(3) Where a state accedes to the European Community after the first day of the first academic year of the course and a person is a national of that state or the family member of a national of that state, the requirement in paragraph (a) of sub-paragraph (1) to be an EC national on the first day of the first academic year of the course is treated as being satisfied.

Commencement Information

I21 Sch. 2 para. 9 in operation at 12.3.2009 with application in accordance with reg. 1(4)

10.—(1) A person who—

- (a) is an EC national other than a United Kingdom national on the first day of the first academic year of the course;
- (b) is ordinarily resident in Northern Ireland on the first day of the first academic year of the course;
- (c) 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; and
- (d) in a case where his ordinary residence referred to in paragraph (c) was wholly or mainly for the purpose of receiving full-time education, was ordinarily resident in the territory comprising the European Economic Area and Switzerland immediately prior to the period of ordinary residence referred to in paragraph (c).

(2) Where a state accedes to the European Community after the first day of the first academic year of the course and a person is a national of that state, the requirement in paragraph (a) of sub-paragraph (1) to be an EC national other than a United Kingdom national on the first day of the first academic year of the course is treated as being satisfied.

Commencement Information

I22 Sch. 2 para. 10 in operation at 12.3.2009 with application in accordance with reg. 1(4)

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Commencement Information

- I21** Sch. 2 para. 9 in operation at 12.3.2009 with application in accordance with reg. 1(4)
- I22** Sch. 2 para. 10 in operation at 12.3.2009 with application in accordance with reg. 1(4)

Children of Swiss nationals

11. A person who—
- (a) is the child of a Swiss national who is entitled to support in the United Kingdom by virtue of article 3(6) of Annex 1 to the Swiss Agreement;
 - (b) is ordinarily resident in Northern Ireland on the first day of the first academic year of the course;
 - (c) has been ordinarily resident in the territory comprising the European Economic Area and Switzerland throughout the three-year period preceding the first day of the first academic year of the course; and
 - (d) in a case where the person’s ordinary residence referred to in paragraph (c) was wholly or mainly for the purpose of receiving full-time education, was ordinarily resident in the territory comprising the European Economic Area and Switzerland immediately before the period of ordinary residence referred to in paragraph (c).

Commencement Information

- I23** Sch. 2 para. 11 in operation at 12.3.2009 with application in accordance with reg. 1(4)

Children of Turkish workers

12. A person who—
- (a) is the child of a Turkish worker;
 - (b) is ordinarily resident in Northern Ireland on the first day of the first academic year of the course; and
 - (c) has been ordinarily resident in the territory comprising the European Economic Area, Switzerland and Turkey throughout the three-year period preceding the first day of the first academic year of the course.

Commencement Information

- I24** Sch. 2 para. 12 in operation at 12.3.2009 with application in accordance with reg. 1(4)

SCHEDULE 3

Regulations 6(1), 110(1) and 127(1)

DESIGNATED COURSES

1. A first degree course.

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Commencement Information

I25 Sch. 3 para. 1 in operation at 12.3.2009 with application in accordance with reg. 1(4)

2. A course for the Diploma of Higher Education.

Commencement Information

I26 Sch. 3 para. 2 in operation at 12.3.2009 with application in accordance with reg. 1(4)

3. A course for the Higher National Diploma or Higher National Certificate of—
(a) the Business & Technician Education Council; or
(b) the Scottish Qualifications Authority.

Commencement Information

I27 Sch. 3 para. 3 in operation at 12.3.2009 with application in accordance with reg. 1(4)

4. A course for the Certificate of Higher Education.

Commencement Information

I28 Sch. 3 para. 4 in operation at 12.3.2009 with application in accordance with reg. 1(4)

5. A course for the initial training of teachers.

Commencement Information

I29 Sch. 3 para. 5 in operation at 12.3.2009 with application in accordance with reg. 1(4)

6. A course for the further training of youth and community workers.

Commencement Information

I30 Sch. 3 para. 6 in operation at 12.3.2009 with application in accordance with reg. 1(4)

7. A course in preparation for a professional examination of a standard higher than that of—
(a) examination at advanced level for the General Certificate of Education or the examination at higher level for the Scottish Certificate of Education; or
(b) the examination for the National Certificate or the National Diploma of either of the bodies mentioned in paragraph 3,

not being a course for entry to which a first degree (or equivalent qualification) is normally required.

Commencement Information

I31 Sch. 3 para. 7 in operation at 12.3.2009 with application in accordance with reg. 1(4)

8. A course—

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- (a) providing education (whether or not in preparation for an examination) the standard of which is higher than that of courses providing education in preparation for any of the examinations mentioned in paragraph 7(a) or (b) but not higher than that of a first degree course; and
- (b) for entry to which a first degree (or equivalent qualification) is not normally required.

Commencement Information

I32 Sch. 3 para. 8 in operation at 12.3.2009 with application in accordance with reg. 1(4)

SCHEDULE 4

Regulations 11, 118, 136 and 148

INFORMATION

1. Every applicant, eligible student, eligible part-time student and eligible postgraduate student must, as soon as reasonably practicable after being requested to do so, provide the Department with such information as the Department considers the Department requires for the purposes of these Regulations.

Commencement Information

I33 Sch. 4 para. 1 in operation at 12.3.2009 with application in accordance with reg. 1(4)

2. Every applicant, eligible student, eligible part-time student and eligible postgraduate student must forthwith inform the Department and provide the Department with particulars if any of the following occurs—

- (a) the applicant or student withdraws from, abandons or is expelled from their course;
- (b) the applicant or student transfers to any other course at the same or at a different institution;
- (c) the applicant or student ceases to undertake the course and does not intend to or is not permitted to continue it for the remainder of the academic year;
- (d) the applicant or student is absent from the course for more than 60 days due to illness or for any period for any other reason;
- (e) the month for the start or completion of the course changes;
- (f) the applicant or student’s home or term-time address or telephone number changes.

Commencement Information

I34 Sch. 4 para. 2 in operation at 12.3.2009 with application in accordance with reg. 1(4)

3. Information provided to the Department pursuant to these Regulations must be in the format that the Department requires and, if the Department requires the information to be signed by the person providing it, an electronic signature in such form as it may specify satisfies such a requirement.

Commencement Information

I35 Sch. 4 para. 3 in operation at 12.3.2009 with application in accordance with reg. 1(4)

SCHEDULE 5

Regulation 90

FINANCIAL ASSESSMENT

Definitions

1.—(1) In this Schedule:—

- (a) “existing student” means an eligible student who is not a new eligible student;
- (b) “financial year” means the period of twelve months in respect of which the income of a person whose residual income is calculated under the provisions of this Schedule is computed for the purposes of the income tax legislation which applies to it;
- (c) “household income” has the meaning given in paragraph 3;
- (d) “independent eligible student” has the meaning given in paragraph 2;
- (e) “Member State” means a Member State of the European Union;
- (f) “new eligible student” means an eligible student who begins a specified designated course on or after 1st September 2004;
- (g) “parent” means a natural or adoptive parent and “child”, “mother” and “father” are to be construed accordingly;
- (h) “parent student” means an eligible student who is the parent of an eligible student;
- (i) “partner” in relation to an eligible student means any of the following—
 - (i) the spouse of an eligible student;
 - (ii) the civil partner of an eligible student;
 - (iii) a person ordinarily living with an eligible student as if the person were the student’s spouse where an eligible student falls within paragraph 2(1)(a) and the student begins the specified designated course on or after 1st September 2000;
 - (iv) a person ordinarily living with an eligible student as if that person were the student’s civil partner where an eligible student falls within paragraph 2(1)(a) and the student begins the specified designated course on or after 1st September 2005;
- (j) “partner” in relation to the parent of an eligible student means any of the following other than another parent of the eligible student—
 - (i) the spouse of an eligible student’s parent;
 - (ii) the civil partner of an eligible student’s parent;
 - (iii) a person ordinarily living with the parent of an eligible student as if the person were the parent’s spouse;
 - (iv) a person ordinarily living with the parent of an eligible student as if the person were the parent’s civil partner;
- (k) “preceding financial year” means the financial year immediately preceding the relevant year;
- (l) “prior financial year” means the financial year immediately preceding the preceding financial year;
- (m) “relevant year” means the academic year of the course in respect of which the household income falls to be assessed;
- (n) “residual income” means taxable income after the application of paragraph 4 (in the case of an eligible student), paragraph 5 (in the case of an eligible student’s parent), paragraph 6 (in the case of an eligible student’s partner) or paragraph 7 (in the case of the partner

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of a new eligible student's parent) and income referred to in sub-paragraph (2) received net of income tax;

- (o) "taxable income" means, in relation to paragraph 4, in respect of the academic year for which an application has been made under regulation 9 and, in relation to paragraph 5, in respect (subject to sub-paragraphs (3), (4) and (5) of paragraph 5) of the prior financial year, a person's taxable income from all sources computed as for the purposes of—
- (i) the Income Tax Acts;
 - (ii) the income tax legislation of another Member State which applies to the person's income; or
 - (iii) where the legislation of more than one Member State applies to the period, the legislation under which the Department considers the person will pay the largest amount of tax in that period (except as otherwise provided in paragraph 5)

except that no account is taken of income referred to in sub-paragraph (2) paid to another party.

(2) The income referred to in this sub-paragraph is any benefits under a pension arrangement pursuant to an order made under Article 25 of the Matrimonial Causes (Northern Ireland) Order 1978⁽⁵⁾ which includes provision made by virtue of Articles 27B(4) and 27E(3) of that Order or pension benefits under Part 1 of Schedule 5 to the Civil Partnership Act 2004⁽⁶⁾ which includes provision made by virtue of Parts 6 and 7 of that Schedule.

Commencement Information

I36 Sch. 5 para. 1 in operation at 12.3.2009 with application in accordance with reg. 1(4)

Independent eligible student

- 2.—(1) An independent eligible student is an eligible student where—
- (a) the student is aged 25 or over on the first day of the relevant year;
 - (b) the student is married or is in a civil partnership before the beginning of the relevant year, whether or not the marriage or civil partnership is still subsisting;
 - (c) the student has no parent living;
 - (d) the Department is satisfied that neither of the student's parents can be found or that it is not reasonably practicable to get in touch with either of them;
 - (e) the student has communicated with neither of the student's parents for the period of one year before the beginning of the relevant year or, in the opinion of the Department, the student can demonstrate on other grounds that the student is irreconcilably estranged from the student's parents;
 - (f) the student was looked after by an authority (within the meaning of Articles 25 and 26 of the Children (Northern Ireland) Order 1995⁽⁷⁾) throughout any three-month period ending on or after the date on which the student reached the age of 16 and before the first day of the first academic year of the course ("the relevant period") provided that the student

(5) [S.I. 1978/1045 \(N.I. 15\)](#); Article 27B was inserted by the Pensions (Northern Ireland) Order 1995 ([S.I. 1995/3123 \(N.I. 22\)](#)), Article 162(1) and was amended by the Welfare Reform and Pensions (Northern Ireland) Order 1999 ([S.I. 1999/3147 \(N.I. 11\)](#)), Schedule 4. Article 27E was inserted by the Pensions (Northern Ireland) Order 2005 ([S.I. 2005/255 \(N.I. 1\)](#)), Schedule 10, paragraph 1

(6) [2004 c.33](#); paragraph 25 of Schedule 5 was modified by [S.I.2006/1934](#)

(7) [S.I. 1995/755 \(N.I. 2\)](#)

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has not in fact at any time during the relevant period been under the charge or control of the student's parents;

- (g) the student's parents are residing outside the European Community and the Department is satisfied that either—
- (i) the assessment of the household income by reference to their residual income would place those parents in jeopardy; or
 - (ii) it would not be reasonably practicable for those parents as a result of the calculation of any contribution under paragraph 8 or 9 to send any relevant funds to the United Kingdom;
- (h) paragraph 5(9) applies and the parent whom the Department considered the more appropriate for the purposes of that paragraph has died (irrespective of whether the parent in question had a partner);
- (i) in the case of a student who began the current course before 1st September 2009, the student is a member of a religious order who resides in a house of that order;
- (j) as at the first day of the relevant year, the student has the care of a person under the age of 18; or
- (k) the student ("A") has supported A out of A's earnings for any period or periods ending before the first academic year of the course which periods together aggregate not less than three years, and for the purposes of this sub-paragraph A is to be treated as supporting A out of A's earnings during any period in which—
- (i) A was participating in arrangements for training for the unemployed under any scheme operated by, sponsored or funded by any state authority or agency, whether national, regional or local ("a relevant authority");
 - (ii) A was in receipt of benefit payable by any relevant authority in respect of a person who is available for employment but who is unemployed;
 - (iii) A was available for employment and had complied with any requirement of registration imposed by a relevant authority as a condition of entitlement for participation in arrangements for training or receipt of benefit;
 - (iv) A held a state studentship or comparable award; or
 - (v) A received any pension, allowance or other benefit paid by any person by reason of a disability to which A is subject, or by reason of confinement, injury or sickness.

(2) An eligible student who qualifies as an independent eligible student under sub-paragraph (1) (j) in respect of an academic year of a designated course retains that status for the duration of the period of eligibility.

Commencement Information

I37 Sch. 5 para. 2 in operation at 12.3.2009 with application in accordance with reg. 1(4)

Household income

- 3.—(1) The amount of an eligible student's contribution depends on the household income.
- (2) The household income is—
- (a) in the case of an eligible student who is not an independent eligible student, the residual income of the eligible student aggregated with the residual income of the eligible student's parents (subject to paragraph 5 (9)) and—

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- (i) in the case of a new eligible student who began the specified designated course before 1st September 2005, the residual income of the partner (other than a partner within the meaning of paragraph 1(j)(iv)) of the student's parent (provided that the Department has selected that parent under paragraph 5(9)); or
 - (ii) in the case of a new eligible student who began the specified designated course on or after 1st September 2005, the residual income of the partner of the student's parent (provided that the Department has selected that parent under paragraph 5(9));
 - (b) in the case of an independent eligible student who has a partner, the residual income of the eligible student aggregated with the residual income of the eligible student's partner (subject to sub-paragraph (4)); or
 - (c) in the case of an independent eligible student who does not have a partner, the residual income of the eligible student.
- (3) In determining the household income under sub-paragraph (2), there is deducted the sum of £1,130—
- (a) for each child wholly or mainly financially dependent on the eligible student or the eligible student's partner; or
 - (b) for each child other than the eligible student wholly or mainly financially dependent on the eligible student's parent or the eligible student's parent's partner whose residual income is being taken into account.
- (4) For the purpose of calculating the contribution payable in respect of a parent student, the residual income of the parent student's partner must not be aggregated under paragraph (b) of sub-paragraph (2) in the case of a parent student whose child or whose partner's child holds an award in respect of which the household income is calculated with reference to the residual income of the parent student or of the parent student's partner or of both.

Commencement Information

I38 Sch. 5 para. 3 in operation at 12.3.2009 with application in accordance with reg. 1(4)

Calculation of eligible student's residual income

4.—(1) For the purpose of determining the residual income of an eligible student, there is deducted from the student's taxable income (unless already deducted in determining taxable income) the aggregate of any amounts falling within any of the following sub-paragraphs—

- (a) any remuneration for work done during any academic year of the eligible student's course, provided that such remuneration does not include any sums paid in respect of any period for which the student has leave of absence or is relieved of the student's normal duties for the purpose of attending that course;
- (b) the gross amount of any premium or other sum paid by the eligible student in relation to a pension (not being a pension payable under a policy of life insurance) in respect of which relief is given under section 273 of the Income and Corporation Taxes Act 1988⁽⁸⁾ or under section 188 of the Finance Act 2004⁽⁹⁾, or where the eligible student's income is computed for the purposes of the income tax legislation of another Member State, the gross amount of any such premium or sum in respect of which relief would be given if that legislation made provision equivalent to the Income Tax Acts.

⁽⁸⁾ 1988 c. 1; section 273 was amended by the Finance Act 1988 (c. 39), Schedule 3, paragraph 10, the Income Tax (Trading and other Income) Act 2005, Schedule 1, the Finance Act 2004 (c. 12), section 281 and Schedule 35, S.I. 2005/3229 and, the Income Tax Act 2007, Schedule 1

⁽⁹⁾ 2004 c.12; section 188 was amended by the Finance Act 2007 (c.11), sections 68, 69 and 114 and Schedules 18, 19 and 27.

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(2) Where the only paragraph in Part 2 of Schedule 2 into which an eligible student falls is paragraph 9 and the student's income arises from sources or under legislation different from sources or legislation normally relevant to a person referred to in paragraph 9 of Schedule 2, the student's income is not disregarded in accordance with sub-paragraph (1) but is instead disregarded to the extent necessary to ensure that the student is treated no less favourably than a person who is referred to in any paragraph of Part 2 of Schedule 2 would be treated if in similar circumstances and in receipt of similar income.

(3) Where the eligible student receives income in a currency other than sterling, the value of that income for the purpose of this paragraph is—

- (a) if the student purchases sterling with the income, the amount of sterling the student so receives;
- (b) otherwise, the value of the sterling which the income would purchase using the rate for the month in which it is received published by the Office for National Statistics⁽¹⁰⁾.

Commencement Information

I39 Sch. 5 para. 4 in operation at 12.3.2009 with application in accordance with reg. 1(4)

Calculation of parent's residual income

5.—(1) For the purposes of determining the taxable income of an eligible student's parent, ("A" in this paragraph) any deductions which fall to be made or exemptions which are permitted—

- (a) by way of personal reliefs provided for in Chapter 1 of Part VII of the Income and Corporation Taxes Act 1988⁽¹¹⁾ or, where the income is computed for the purposes of the income tax legislation of another Member State, any comparable personal reliefs;
- (b) pursuant to any statutory provision under which payments which would otherwise under United Kingdom law form part of a person's income are not treated as such; or
- (c) under sub-paragraph (2)

must not be made or permitted.

(2) For the purposes of determining the residual income of A there is deducted from the taxable income determined under sub-paragraph (1) the aggregate of any amounts falling within any of the following sub-paragraphs—

- (a) the gross amount of any premium or sum relating to a pension (not being a premium payable under a policy of life assurance) in respect of which relief is given under section 273 of the Income and Corporation Taxes Act 1988 or under section 188 of the Finance Act 2004, or where the income is computed for the purposes of the income tax legislation of another Member State, the gross amount of any such premium in respect of which relief would be given if that legislation made provision equivalent to the Income Tax Acts;
- (b) in any case where income is computed for the purposes of the Income Tax Acts by virtue of sub-paragraph (6) any sums equivalent to the deduction mentioned in paragraph (a)

⁽¹⁰⁾ "Financial Statistics" (ISSN 0015-203X)

⁽¹¹⁾ 1988 c.1; Chapter 1 of Part VII was amended by the Finance Act 1988 (c.39), sections 29, 31 and 33 and Schedules 3 and 14, the Finance Act 1989 (c.26) section 33, the Finance Act 1990 (c.29) Schedule 19, the Finance (No.2) Act 1992 (c.48) Schedules 5 and 9, the Finance Act 1993 (c.34), section 107 and Schedule 23, the Finance Act 1994 (c.9), section 77 and Schedules 8, 17 and 26, the Finance Act 1996 (c.8), sections 145 and 171 and Schedules 20, 21 and 41, the Finance Act 1997 (c.16) section 56, the Finance Act 1999 (c.16), sections 25, 30 and 31 and Schedule 20, S.I. 2001/3629, Tax Credits Act 2002 (c.21) Schedule 6, the Finance Act 2002 (c.23) section 27, the Income Tax (Earnings and Pensions) Act 2003 (c.1) Schedule 6, the Finance Act 2004 (c.12) Schedule 35, the Income Tax (Trading and Other Income) Act 2005 (c.5) Schedule 1, S.I. 2005/3229, S.I. 2006/3241, the Income Tax Act 2007 (c.3), Schedules 1 and 3 and S.I. 2008/673

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of this sub-paragraph, provided that any sums so deducted do not exceed the deductions which would be made if the whole of A's income were in fact income for the purposes of the Income Tax Acts;

(c) where A is a parent student or A holds a statutory award, £1,130.

(3) Where the Department is satisfied that the residual income of A in the financial year beginning immediately before the relevant year ("the current financial year") is likely to be not more than 95 per cent. of the sterling value of A's residual income in the prior financial year the Department may, for the purpose of enabling the eligible student to attend the course without hardship, ascertain A's residual income for the current financial year.

(4) In an academic year immediately following one in which the Department has ascertained A's residual income for the current financial year under sub-paragraph (3), the Department must ascertain A's residual income in the preceding financial year.

(5) Where A satisfies the Department that A's income is wholly or mainly derived from the profits of a business or profession carried on by A, then any reference in this Schedule to a prior financial year means the earliest period of twelve months which ends after the start of the prior financial year and in respect of which accounts are kept relating to that business or profession.

(6) Where A is in receipt of any income which does not form part of A's income for the purposes of the Income Tax Acts or the income tax legislation of another Member State by reason only that—

- (a) A is not resident, ordinarily resident or domiciled in the United Kingdom, or where A's income is computed as for the purposes of the income tax legislation of another Member State, not so resident, ordinarily resident or domiciled in that Member State;
- (b) the income does not arise in the United Kingdom, or where A's income is computed as for the purposes of the income tax legislation of another Member State, does not arise in that Member State; or
- (c) the income arises from an office, service or employment, income from which is exempt from tax in pursuance of any legislation,

A's taxable income for the purposes of this Schedule is computed as though the income under this sub-paragraph were part of A's income for the purposes of the Income Tax Acts or the income tax legislation of another Member State, as the case may be.

(7) Where A's income is computed as for the purposes of the income tax legislation of another Member State, it is computed under the provisions of this Schedule in the currency of that Member State and A's income for the purposes of this Schedule is the sterling value of that income determined in accordance with the rate for the month in which the last day of the financial year in question falls, as published by the Office for National Statistics.

(8) Where one of the eligible student's parents dies either before or during the relevant year and that parent's income has been or would be taken into account for the purpose of determining the household income, the household income is—

- (a) where the parent dies before the relevant year, determined by reference to the income of the surviving parent; or
- (b) where the parent dies during the relevant year, the aggregate of—
 - (i) the appropriate proportion of the household income determined by reference to the income of both parents, being the proportion in respect of that part of the relevant year during which both parents were alive; and
 - (ii) the appropriate proportion of the household income determined by reference to the income of the surviving parent, being the proportion in respect of that part of the relevant year remaining after the death of the other parent.

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(9) Where the Department determines that the parents are separated for the duration of the relevant year, the household income is determined by reference to the income of whichever parent the Department considers the more appropriate under the circumstances.

(10) Where the Department determines that the parents have separated in the course of the relevant year, the household income is determined by reference to the aggregate of—

- (a) the appropriate proportion of the household income determined in accordance with sub-paragraph (9), being the proportion in respect of that part of the relevant year during which the parents are separated; and
- (b) the appropriate proportion of the household income determined otherwise in respect of the remainder of the relevant year.

Commencement Information

I40 Sch. 5 para. 5 in operation at 12.3.2009 with application in accordance with reg. 1(4)

Calculation of eligible student's partner's residual income

6.—(1) Subject to sub-paragraphs (2), (3) and (4), an eligible student's partner's income is determined in accordance with paragraph 5 (other than sub-paragraphs (8), (9) and (10) of paragraph 5), references to the parent being construed as references to the eligible student's partner.

(2) Where the Department determines that the eligible student and the student's partner are separated for the duration of the relevant year, the partner's income is not taken into account in determining the household income.

(3) Where the Department determines that the eligible student and the student's partner have separated in the course of the relevant year, the partner's income is determined by reference to the partner's income under sub-paragraph (1) divided by fifty-two and multiplied by the number of complete weeks in the relevant year for which the Department determines that the eligible student and the student's partner are not separated.

(4) Where an eligible student has more than one partner in any one academic year, the provisions of this paragraph apply in relation to each.

Commencement Information

I41 Sch. 5 para. 6 in operation at 12.3.2009 with application in accordance with reg. 1(4)

Calculation of parent's partner's residual income

7. The income of a new eligible student's parent's partner whose income is part of the household income by virtue of paragraph 3(2)(a) is determined in accordance with paragraph 6, references to the eligible student's partner being construed as references to the new eligible student's parent's partner, and references to the eligible student being construed as references to the new eligible student's parent.

Commencement Information

I42 Sch. 5 para. 7 in operation at 12.3.2009 with application in accordance with reg. 1(4)

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Calculation of contribution – old system students

8.—(1) The contribution payable in relation to an old system student who is not an independent eligible student is—

- (a) in any case where the household income is £24,275 or more, £45 with the addition of £1 for every complete £12.50 by which the household income exceeds £24,275; and
- (b) in any case where the household income is less than £24,275, nil.

(2) The contribution payable in relation to an old system student who is an independent eligible student with a partner is—

- (a) in any case where the household income is £24,275 or more, £45 with the addition of £1 for every complete £9.50 by which the household income exceeds £24,275; and
- (b) in any case where the household income is less than £24,275, nil.

(3) The contribution payable in relation to an old system student who is an independent eligible student without a partner is—

- (a) in any case where the household income is £11,305 or more, £45 with the addition of £1 for every complete £9.50 by which the household income exceeds £11,305; and
- (b) in any case where the household income is less than £11,305, nil.

(4) The amount of the contribution payable under sub-paragraph (1) or (2) must in no case exceed £8,565.

(5) The contribution may be adjusted in accordance with paragraph 10.

(6) Where sub-paragraph (7) applies, the aggregate contributions must not exceed £8,565.

(7) This sub-paragraph applies where—

- (a) a contribution is payable in relation to two or more eligible students (other than current system students) in respect of the same income under paragraph 5 or, where the relevant parent's partner's residual income is taken into account, under paragraphs 5 and 7; or
- (b) the household income consists of the residual income of an independent eligible student and the student's partner where both hold a statutory award.

Commencement Information

I43 Sch. 5 para. 8 in operation at 12.3.2009 with application in accordance with reg. 1(4)

Calculation of contribution – current system students

9.—(1) In relation to an eligible student who is a current system student, the contribution payable is—

- (a) in any case where the household income exceeds £40,713, £1 for every complete £9.50 by which the household income exceeds £40,713; and
- (b) in any case where the household income is £40,713 or less, nil.

(2) The contribution must not in any case exceed £6,210.

(3) The contribution may be adjusted in accordance with paragraph 10.

(4) Where sub-paragraph (5) applies, the aggregate contributions must not exceed £6,210.

(5) This sub-paragraph applies where—

- (a) a contribution is payable in relation to two or more eligible students (other than old system students) in respect of the same income under paragraph 5 or, where the relevant parent's partner's residual income is taken into account, under paragraphs 5 and 7; or

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- (b) the household income consists of the residual income of an independent eligible student and the student's partner where both hold a statutory award.

Commencement Information

I44 Sch. 5 para. 9 in operation at 12.3.2009 with application in accordance with reg. 1(4)

Split contributions

10. Where the same household income is used to assess the amount of a statutory award for which two or more persons qualify, the contribution payable in respect of the eligible student is divided by the number of such persons.

Commencement Information

I45 Sch. 5 para. 10 in operation at 12.3.2009 with application in accordance with reg. 1(4)

SCHEDULE 6

Regulation 2(1)

RELEVANT INSTITUTIONS OF HIGHER EDUCATION IN THE REPUBLIC OF IRELAND

Commencement Information

I46 Sch. 6 in operation at 12.3.2009 with application in accordance with reg. 1(4)

All Hallows College, Drumcondra
Carlow College (St. Patrick's)
Church of Ireland College of Education, Dublin
Colaiste Mhuire, Marino, Dublin
Dublin City University
Dublin Institute of Technology
Dun Laoghaire Institute of Art, Design and Technology
Froebel College of Education, Sion Hill, Co Dublin
Holy Ghost College, Kimmage Manor, Dublin
Institute of Technology, Athlone
Institute of Technology, Blanchardstown
Institute of Technology, Carlow
Institute of Technology, Cork
Institute of Technology, Dundalk
Institute of Technology, Galway/Mayo
Institute of Technology, Letterkenny
Institute of Technology, Limerick
Institute of Technology, Sligo

Changes to legislation: *The Education (Student Support) Regulations (Northern Ireland) 2009 is up to date with all changes known to be in force on or before 08 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*

Institute of Technology, Tallaght
Institute of Technology, Tralee
Mary Immaculate College, Limerick
Mater Dei Institute of Education
Milltown Institute of Theology and Philosophy, Dublin
Montessori College, (A.M.I.), Mount St Mary's, Dublin
National College of Art and Design, Dublin
National College of Ireland, Dublin
National University of Ireland, Dublin
National University of Ireland, Cork
National University of Ireland, Galway
National University of Ireland, Maynooth
Pontifical University of Maynooth
Royal College of Surgeons in Ireland
St Angela's College, Lough Gill, Sligo
St Catherine's College, Sion Hill, Co Dublin
St Nicholas Montessori College, Dun Laoghaire, Co Dublin
St Patrick's College, Thurles
St Patrick's College of Education, Drumcondra, Dublin
Shannon College of Hotel Management
Tipperary Rural and Business Development Institute
Trinity College Dublin
University of Limerick
Waterford Institute of Technology

Changes to legislation:

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Changes and effects yet to be applied to :

- Regulations revoked by [S.R. 2009/373 reg. 4\(1\)](#)
- reg. 112(7)(a) text amended by [S.R. 2009/373 Sch. 1 para. 2\(a\)](#)
- reg. 112(7)(a) text amended by [S.R. 2009/373 Sch. 1 para. 2\(b\)](#)
- reg. 129(6) text amended by [S.R. 2009/373 Sch. 1 para. 3\(a\)](#)
- reg. 129(6)(a) text amended by [S.R. 2009/373 Sch. 1 para. 3\(b\)](#)

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\(c\)](#)