
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Education (Student Support) (No.2) Regulations (Northern Ireland) 2009 (S.R. 2009 No. 373) (“the Principal Regulations”) and make consequential amendments to the Education (Student Loans) (Repayment) Regulations (Northern Ireland) 2009, (“the Repayment Regulations”). The Principal Regulations provide for financial support for students taking designated higher education courses in respect of an academic year beginning on or after 1st September 2010.

These Regulations make policy and technical changes to the Principal Regulations to introduce a package of tuition fee loans for part-time undergraduate, distance learning undergraduate and certain types of postgraduate students, referred to in these Regulations as eligible Master’s, etc. student. These changes are set out in the paragraphs below.

Regulation 3 amends regulation 2(1) of the Principal Regulations to provide various definitions, including, “Department”, “designated Master’s, etc. course”, “distance learning fee loan”, “eligible Master’s, etc. student”, “Master’s etc. fee loan”, and “part-time fee loan”.

Regulation 4 provides that students will not be entitled to both undergraduate support and the new Master’s, etc. fee loan simultaneously.

Regulation 5 clarifies that undergraduate support will continue to be available to medical, dentistry, veterinary and architecture students following any Master’s, etc. fee loan obtained during a postgraduate intercalation year(s).

Regulations 6 to 22 amend Part 10 of the Principal Regulations to make provision for the distance learning fee loan for designated distance learning courses.

In general terms the maximum distance learning fee loan in respect of an academic year is £3,022.50. The amount will be reduced if any grant has been paid to an eligible distance learning student under regulation 109(1)(a). Regulation 9 clarifies that a distance learning fee loan is available subject to a maximum period of 16 years in aggregate where the student has received, in respect of each of those academic years, relevant support under the Principal Regulations or relevant support from the other UK Jurisdictions as set out at regulation 109.

Regulations 23 to 41 amend Part 11 of the Principal Regulations to make provision for the part-time fee loan for designated part-time courses.

In general terms the maximum part-time fee loan in respect of an academic year is £3,022.50. The amount will be reduced if any grant has been paid to an eligible part-time student under regulation 126(1)(a).

Regulation 25 amends regulation 124 of the Principal Regulations to provide that designated part-time courses can be completed up to four times the period ordinarily required to complete the full time equivalent.

Regulation 27 amends regulation 126 of the Principal Regulations to clarify, inter alia, that an eligible part-time student does not qualify for a grant under regulation 126(1)(a) or (b) unless it is ordinarily possible to complete the designated part-time course in no more than twice the period ordinarily required to complete the full-time equivalent. In terms of the part-time fee loan, however, this is available to an eligible part-time student provided that the course can be completed in not more than four times the period ordinarily required to complete the full-time equivalent. Regulation 27 therefore clarifies that an eligible part-time student does not qualify for a part-time fee loan in an academic year where the intensity of study falls below 25% of the full-time equivalent course.

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

Regulation 27 further clarifies that a part-time fee loan is available subject to a maximum period of 16 years in aggregate where the student has received, in respect of each of those academic years relevant support under the Principal Regulations or relevant support from the other UK Jurisdictions as set out at regulation 126.

Regulation 42 amends Part 12 of the Principal Regulations. The Disabled Postgraduate Students' Allowance will now be available to eligible postgraduate students undertaking designated postgraduate courses for up to three times the time taken to complete the full-time equivalent course. New Schedule 3A specifies the designated postgraduate courses.

Regulation 43 inserts a new Part 13 into the Principal Regulations, which makes provision for Master's, etc. fee loan for designated Master's, etc. courses. The Master's, etc. fee loan is non means tested. A designated Master's, etc. course can be no longer than three years in duration, the courses are specified at new Schedule 3B. The maximum Master's, etc. fee loan available in respect of the entire designated Master's, etc. course is £5,500.00. Where the designated Master's, etc. course is completed in a one year period, the entire Master's, etc. fee loan is payable in respect of that one year period, where it is completed within a two or three year period, the £5,500.00 is divided over the course of the two or three academic years, whichever is applicable.

Regulation 44 amends Schedule 2 to the Principal Regulations to make consequential provision to Paragraph 9, (EC nationals) for designated Master's, etc. courses. It also clarifies that support is available for designated distance learning courses.

Regulation 45 inserts into the Principal Regulations new Schedule 3A (Designated postgraduate courses) for the purpose of Disabled Postgraduate Students' Allowance and new Schedule 3B (Designated Master's, etc. courses) for the purpose of the Master's, etc. tuition fee loan.

Regulation 46 makes consequential amendments to Schedule 4 to the Principal Regulations in respect of information to be provided to the Department relating to eligible Master's, etc. students.

Regulations 47 to 50 make consequential amendments to the Repayment Regulations.

An impact assessment has not been prepared in respect of this instrument as it has no impact on the cost of business, charities or voluntary bodies.