
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 37

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

PART 4

FEE SUPPORT

CHAPTER 4

GRANTS FOR FEES FOR OLD SYSTEM STUDENTS

Old system students who are continuing students

26.—(1) This regulation applies to an old system student who began a designated course before 1st September 2006 and is continuing on that course after 31st August 2009, or began a designated course on or after 1st September 2006 at a relevant institution of higher education in the Republic of Ireland and is continuing on that course after 31st August 2009 in either case (a “continuing student”).

(2) A continuing student does not qualify for a grant for fees in respect of any academic year of the course that begins on or after 1st September 2009 where in the course of assessing an application for support in respect of an academic year of the designated course that began before 1st September 2006 the Department determined in accordance with regulations made by the Department under Article 3 of the Order that the student did not qualify for fee support in respect of the designated course.

(3) A continuing student does not qualify for a grant for fees in respect of a designated course if the designated course is a flexible postgraduate course for the initial training of teachers.

(4) A continuing student does not qualify for a grant for fees in respect of an academic year of a designated course that is a bursary year or an Erasmus year.

(5) When assessing an application for support in respect of an academic year of the designated course, the Department must determine the “standard entitlement”.

(6) The standard entitlement is calculated as follows—

$$(SAY - X) + 1$$

where

SAY is the number of standard academic years of the designated course that begin after 31st August 2006,

X is the number of academic years of the designated course that begin after 31st August 2006 in respect of which the Department determined in accordance with regulations made by the Department under Article 3 of the Order that the student did not qualify for a grant for fees in the course of assessing an application for support in respect of an academic year of the designated course that began before 1st September 2006.

(7) When assessing an application for support in respect of an academic year of the designated course, the Department must allocate a grant for fees from the standard entitlement first to the final

standard academic year of the course and then to each preceding standard academic year in turn until the standard entitlement is exhausted or a grant for fees has been allocated to each standard academic year of the course.

(8) A continuing student qualifies for a grant for fees in respect of a standard academic year of the designated course if the Department allocates a grant for fees to that year when assessing the application for support for that year.

(9) The amount of the grant for fees in respect of an academic year is determined in accordance with regulation 32, 33 or 34 and may be nil.

Old system students who are transferring students

27.—(1) Subject to paragraph (2), this regulation applies to an old system student who—

- (a) began a designated course on or after 1st September 2006 and is continuing on that course after 31st August 2009; or
- (b) begins a designated course on or after 1st September 2009,

and whose status as an eligible student has been transferred to the course as a result of one or more transfers of that status by the Department pursuant to regulations made by the Department under Article 3 of the Order from a designated course that the student began before 1st September 2006 (a “transferring student”).

(2) This regulation does not apply where an eligible student has transferred from a course in relation to which that student was a gap year student to another designated course in accordance with regulations made by the Department under Article 3 of the Order.

(3) Where in the course of assessing an application for support in respect of an academic year of the relevant course, the Department determined in accordance with regulations made by the Department under Article 3 of the Order that the student did not qualify for fee support in respect of that course, a transferring student does not qualify for a grant for fees in respect of any academic year of the current course.

(4) In this regulation, the “relevant course” is the designated course that the student was taking as at 31st August 2006.

(5) A transferring student does not qualify for a grant for fees in respect of a designated course if the designated course is an old flexible postgraduate course for the initial training of teachers.

(6) A transferring student does not qualify for a grant for fees in respect of an academic year of a designated course that is a bursary year or an Erasmus year.

(7) When assessing an application for support in respect of an academic year of a designated course, the Department must determine the “standard entitlement”.

(8) The standard entitlement is calculated as follows where the course began before 1st September 2007 and is not a course listed in paragraph (11)—

$$(RAY - X) + 1$$

where

RAY is the number of standard academic years of the relevant course that remain after 31st August 2006,

X is the number of academic years of the relevant course that remain after 31st August 2006 in respect of which the Department determined in accordance with regulations made by the Department under Article 3 of the Order that the student did not qualify for a grant for fees in the course of assessing an application for support in respect of an academic year of the relevant course where that year began before 1st September 2006.

(9) The standard entitlement is calculated as follows where the course begins on or after 1st September 2007 and is not a course listed in paragraph (11)—

$$(RAY - X - SS) + 1$$

where

RAY is the number of standard academic years of the relevant course that remain after 31st August 2006,

X is the number of academic years of the relevant course that remain after 31st August 2006 in respect of which the Department determined in accordance with regulations made by the Department under Article 3 of the Order that the student did not qualify for a grant for fees in the course of assessing an application for support in respect of an academic year of the relevant course where that year began before 1st September 2006,

SS is the number of academic years of study that the student has taken from and including 1st September 2006 in respect of which the student qualified for fee support (excluding any years of repeat study for compelling personal reasons) or which were bursary years or Erasmus years.

(10) The standard entitlement is calculated as follows where the course is one listed in paragraph (11)—

$$OD + 1$$

where

OD is the number of academic years that make up the ordinary duration of the designated course.

(11) The courses are—

- (a) a course for the degree (including an honours degree) of Bachelor of Education where the student has transferred to that course from a course for the Certificate in Education on or before the completion of the latter course;
- (b) a course for the honours degree of Bachelor of Education where the student has transferred to that course from a course for the degree (other than an honours degree) of Bachelor of Education on or before the completion of the latter course.

(12) When assessing an application for support in respect of an academic year of a designated course, the Department must allocate a grant for fees from the standard entitlement first to the final standard academic year of the course and then to each preceding standard academic year in turn until the standard entitlement is exhausted or a grant for fees has been allocated to each standard academic year of the course.

(13) A transferring student qualifies for a grant for fees in respect of a standard academic year of the designated course if the Department allocates a grant for fees to that year when assessing the application for support for that year.

(14) The amount of the grant for fees in respect of an academic year is determined in accordance with regulation 32, 33 or 34 and may be nil.

Old system students who are on end-on courses

28.—(1) An old system student who is on an end-on course of the kind described in paragraph (a) of the definition of “end-on course” in regulation 2 that the student began before 1st September 2006 qualifies for a grant for fees in respect of that course in accordance with regulation 26.

(2) An old system student who is on an end-on course of the kind described in paragraph (c) of the definition of “end-on course” in regulation 2 qualifies for a grant for fees in respect of that course in accordance with regulation 26.

- (3) Paragraphs (4) to (12) apply to—
- (a) an old system student in respect of an end-on course of the kind described in paragraph (a) of the definition of “end-on course” in regulation 2 that the student—
- (i) began on or after 1st September 2006 and is continuing on after 31st August 2009; or
- (ii) begins on or after 1st September 2009;
- (b) an old system student in respect of an end-on course of the kind described in paragraph (b) of the definition of “end-on course” in regulation 2.
- (4) An old system student to whom this paragraph applies does not qualify for fee support in respect of a course mentioned in paragraph (3) if—
- (a) the student has an honours degree from an institution in the United Kingdom and the exemption in regulation 14(1), (2) or (5) does not apply; or
- (b) the student has an honours degree from an institution in the Republic of Ireland for which he received financial support under previous regulations and the exemption in regulation 14(1), (2) or (5) does not apply.
- (5) Notwithstanding paragraph (4)(a) and (b) an old system student qualifies for fee support in respect of a course leading to a degree in social work at an educational institution in Northern Ireland.
- (6) An old system student to whom this paragraph applies does not qualify for a grant for fees in respect of an academic year of a course mentioned in paragraph (3) that is a bursary year or an Erasmus year.
- (7) When assessing an application for support in respect of an academic year of a course mentioned in paragraph (3), the Department must determine the “standard entitlement”.
- (8) Subject to paragraph (9), the standard entitlement is calculated as follows—

$$(D + X) - PrC$$

where

D is the greater of 3 and the number of academic years that make up the ordinary duration of the course,

X is 1 where the ordinary duration of the preliminary course was less than three years and 2 where the ordinary duration of the preliminary course was three years,

PrC is the number of academic years that the student spent on the preliminary course excluding any years of repeat study for compelling personal reasons.

(9) The standard entitlement of an old system student to whom paragraph (3)(a) applies whose course is a course leading to a degree in social work at an educational institution in Northern Ireland is calculated as follows—

$$OD + 1$$

where

OD is the number of academic years that make up the ordinary duration of the current course.

(10) When assessing an application for support in respect of an academic year of a course to which this paragraph applies, the Department must allocate a grant for fees from the standard entitlement first to the final standard academic year of the course and then to each preceding standard academic year in turn until the standard entitlement is exhausted or a grant for fees has been allocated to each standard academic year of the course.

(11) An old system student to whom this paragraph applies qualifies for a grant for fees in respect of a standard academic year of a course to which this paragraph applies if the Department allocates a grant for fees to that year when assessing the application for support for that year.

(12) The amount of the grant for fees in respect of an academic year of a course to which this regulation applies is determined in accordance with regulation 32, 33 or 34 and may be nil.

Old system students who are gap year students who have not studied on a previous course

29.—(1) This regulation applies to an old system student who is a gap year student who has not studied on a previous course.

- (2) A gap year student does not qualify for fee support in respect of a designated course if—
- (a) the student has an honours degree from an institution in the United Kingdom and the exemption in regulation 14(1), (2) or (5) does not apply; or
 - (b) he has an honours degree from an institution in the Republic of Ireland for which he received financial support under previous regulations and the exemption in regulation 14(1), (2) or (5) does not apply; or
 - (c) the designated course is an old flexible postgraduate course for the initial training of teachers.

(3) Notwithstanding paragraph (2)(a) and (b) an old system student qualifies for fee support in respect of a course leading to a degree in social work at an educational institution in Northern Ireland.

(4) A gap year student does not qualify for a grant for fees in respect of an academic year of a designated course that is a bursary year or an Erasmus year.

(5) When assessing an application for support in respect of an academic year of a designated course, the Department must determine the “standard entitlement”.

(6) The standard entitlement is calculated as follows—

$$OD+1$$

where

OD is the number of academic years that make up the ordinary duration of the course.

(7) When assessing an application for support in respect of an academic year of a designated course, the Department must allocate a grant for fees from the standard entitlement first to the final standard academic year of the course and then to each preceding standard academic year in turn until the standard entitlement is exhausted or a grant for fees has been allocated to each standard academic year of the course.

(8) A gap year student qualifies for a grant for fees in respect of a standard academic year of the designated course if the Department allocates a grant for fees to that year when assessing the application for support for that year.

(9) The amount of the grant for fees in respect of an academic year is determined in accordance with regulation 32 or 33 and may be nil.

Old system students who are gap year students who have studied on a previous course

30.—(1) This regulation applies where—

- (a) an old system student is a gap year student who has studied on a previous course;
- (b) an old system student has transferred from a course in relation to which that student was a gap year student to another designated course in accordance with regulations made by the Department under Article 3 of the Order.

(2) An old system student to whom this regulation applies does not qualify for fee support in respect of a designated course if—

- (a) the student has an honours degree from an institution in the United Kingdom and the exemption in regulation 14(1), (2) or (5) does not apply; or

- (b) the student has an honours degree from an institution in the Republic of Ireland for which he received financial support under previous regulations and the exemption in regulation 14(1), (2) or (5) does not apply; or
- (c) the designated course is an old flexible postgraduate course for the initial training of teachers.

(3) Notwithstanding paragraph (2)(a) and (b) an old system student qualifies for fee support in respect of a course leading to a degree in social work at an educational institution in Northern Ireland.

(4) An old system student to whom this regulation applies does not qualify for a grant for fees in respect of an academic year of a designated course that is a bursary year or an Erasmus year.

(5) When assessing an application for support in respect of an academic year of a designated course, the Department must determine the “standard entitlement”.

(6) Subject to paragraph (7), the standard entitlement is calculated as follows—

$$(OD + 1) - PC$$

where

OD is the number of academic years that make up the ordinary duration of the course,

PC is the number of academic years that the student has spent on previous courses.

(7) The standard entitlement of an old system student to whom paragraph (6) applies whose course is a course leading to a degree in social work at an educational institution in Northern Ireland is calculated as follows—

$$OD + 1$$

where

OD is the number of academic years that make up the ordinary duration of the current course.

(8) When assessing an application for support in connection with an academic year of a designated course, the Department must allocate a grant for fees from the standard entitlement first to the final standard academic year of the course and then to each preceding standard academic year in turn until the standard entitlement is exhausted or a grant for fees has been allocated to each standard academic year of the course.

(9) An old system student to whom this regulation applies qualifies for a grant for fees in respect of a standard academic year of the designated course if the Department allocates a grant for fees to that year when assessing the application for support for that year.

(10) In addition to the standard entitlement, an old system student to whom this regulation applies qualifies for a grant for fees in respect of the first academic year that the student takes of the designated course that is not a bursary year or an Erasmus year if the student failed to complete the most recent previous course because of compelling personal reasons.

(11) Where an old system student to whom this regulation applies qualifies for a grant for fees under paragraph (10), the Department must not allocate a grant for fees under paragraph (8) to the first academic year that the student takes of the designated course that is not a bursary year or an Erasmus year.

(12) The amount of the grant for fees in respect of an academic year is determined in accordance with regulation 32 or 33 where the eligible student falls within paragraph (1)(a) and in accordance with regulation 32, 33 or 34 where the eligible student falls within paragraph (1)(b) and in either case the amount may be nil.

Availability of the grant for fees to old system students for years of repeat study

31.—(1) In addition to the standard entitlement, if the Department determines that the student is repeating an academic year of the designated course because of compelling personal reasons, an old system student qualifies for a grant for fees in respect of the year of repeat study provided that the academic year that the student is repeating was a qualifying year of study and the year of repeat study is not a bursary year.

(2) An old system student qualifies for a grant for fees in respect of an academic year of a designated course that is a year of repeat study which the student is taking other than for compelling personal reasons if—

- (a) the academic year which the student is repeating was a qualifying year of study;
- (b) the academic year of repeat study is not a bursary year; and
- (c) when the academic year of repeat study is added to the number of any other academic years of repeat study that the student has already taken (after 31st August 2006) on the current course other than for compelling personal reasons, it does not exceed the number of additional years of support.

(3) In this regulation, the “number of additional years of support” is the number of years which make up the standard entitlement less the number of standard academic years (plus one where the student qualifies for a grant for fees under regulation 30(10)).

Amount of the grant for fees for a course at a publicly funded institution or a relevant institution of higher education in the Republic of Ireland

32.—(1) Unless one of the cases set out in regulation 25(3) applies, the basic amount of the grant for fees in respect of an academic year of a designated course at a publicly funded institution is the lesser of—

- (a) £1,285; and
- (b) the fees payable by the student in connection with that year.

(2) In the cases set out in regulation 25(3), the basic amount of the grant for fees in respect of an academic year is the lesser of—

- (a) £640; and
- (b) the fees payable by the student in connection with that year.

(3) Where a contribution exceeding nil is calculated under Schedule 5, a deduction will be made from the basic amount of the grant for fees determined under paragraph (1) or (2) in accordance with regulation 92.

(4) Paragraphs (1) to (3) do not apply to designated courses at Heythrop College or at Guildhall School of Music and Drama.

(5) In the case of a designated course at Heythrop College, the amount of grant for fees in respect of an academic year is the lesser of—

- (a) £2,300; and
- (b) the fees payable by the student in connection with that year.

(6) In the case of a designated course at Guildhall School of Music and Drama, the amount of grant for fees in respect of an academic year is the lesser of—

- (a) £4,680; and
- (b) the fees payable by the student in connection with that year.

(7) In the case of a course in respect of an academic year at a relevant institution of higher education in the Republic of Ireland, the amount of grant is an amount specified by the Department in writing.

Amount of the grant for fees for a course that is provided at a private institution on behalf of a publicly funded institution

33.—(1) The basic amount of the grant for fees in respect of an academic year at a private institution is the lesser of £1,285 and the fees payable by the student in connection with that year if—

- (a) the designated course began on or after 1st September 2001;
- (b) the designated course is provided on behalf of a publicly funded institution; and
- (c) none of the cases in regulation 25(3) applies.

(2) The amount of the grant for fees in respect of an academic year at a private institution is the lesser of £640 and the fees payable by the student in connection with that year if—

- (a) the designated course began on or after 1st September 2001;
- (b) the designated course is provided on behalf of a publicly funded institution; and
- (c) one or more of the cases in regulation 25(3) applies.

(3) Where a contribution exceeding nil is calculated under Schedule 5, a deduction will be made from the basic amount of the grant for fees determined under paragraph (1) or (2) in accordance with regulation 92.

Amount of the grant for fees for a course at a private institution

34.—(1) Subject to paragraph (2), the amount of the grant for fees in respect of an academic year of a designated course at a private institution where regulation 33 does not apply including courses or academic years for the degrees of Bachelor of Divinity, Bachelor of Theology, Bachelor of Arts (Joint Honours) or the Diploma in Theology of the Queen's University of Belfast, undertaken at the Union Theological College, the Edgehill College, the Irish Baptist College, Belfast or the Belfast Bible College is the lesser of—

- (a) £1,205; and
- (b) the fees payable by the student in connection with that year.

(2) In the case of a designated course at the University of Buckingham, the amount of the grant for fees in respect of an academic year is £3,050.