

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.
2. In regulation 4(5)(b) (Revocation, savings and transitional provisions) omit the word “was”.
- 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”.
- 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)”.
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”.
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”.
- 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”.
8. In regulation 97 (Payment of grants for living and other costs), after paragraph (7) insert—

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“(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.”

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 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.”

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;”.

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”.

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;”.

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