
STATUTORY RULES OF NORTHERN IRELAND

2022 No. 75

EDUCATION

**The Education (Student Support, etc.)
(Amendment) Regulations (Northern Ireland) 2022**

Made - - - - *2nd March 2022*

Coming into operation- *24th March 2022*

The Department for the Economy⁽¹⁾ in exercise of the powers conferred by Articles 3 and 8(4) of the Education (Student Support) (Northern Ireland) Order 1998⁽²⁾ and Articles 4(8) and 14(4) of the Higher Education (Northern Ireland) Order 2005⁽³⁾ makes the following Regulations.

PART 1

Introductory

Citation, commencement and application

1.—(1) These Regulations may be cited as the Education (Student Support, etc.) (Amendment) Regulations (Northern Ireland) 2022.

(2) These Regulations come into operation on 24th March 2022.

(3) The following provisions apply in relation to the provision of support to a student in relation to an academic year which begins on or after 1st August 2022, whether or not anything done under these Regulations is done before, on or after that date—

(a) regulations 18 to 24;

(b) regulation 59 and Schedule.

(4) The following provisions apply in relation to the provision of support to a student in relation to a course which begins on or after 1st August 2022, whether or not anything done under these Regulations is done before, on or after that date—

(1) Formerly the Department for Employment and Learning; see Article 6(1)(c) of the Departments (Transfer of Functions) Order (Northern Ireland) 2016 ([S.R. 2016 No. 76](#))

(2) [S.I. 1998/1760 \(N.I.14\)](#). Article 3 was amended by the Learning and Skills Act 2000 ([c.21](#)), section 147(3)(a) and (b), the Student Loans (Amendment) Act (Northern Ireland) 2001, ([c.2 \(N.I.\)](#)), s.1(1), the Income Tax (Earnings and Pensions) Act 2003 ([c.1](#)), Schedule 6, the Finance Act 2003, ([c.14](#)), s.147(4), the Higher Education (Northern Ireland) Order 2005, ([S.I. 2005/1116 \(N.I.5\)](#)), Articles 11 and 12 and the Schedule, and by the Financial Services and Markets Act 2000 (Regulated Activities) (Amendment) (No.2) Order 2013, ([S.I. 2013/1881](#)), Schedule 1

(3) [S.I. 2005/1116](#) see Article 2(2) for definitions of “the Department”, “prescribed” and “regulations”.

- (a) regulations 25(a) and (c)(ii), 26(a), 27(a), 28(a), 29(a), 30(a) and 31(a)(i);
- (b) regulations 33 to 55.

(5) In paragraph (3) an “academic year” is the period of twelve months beginning with 1st January, 1st April, 1st July or 1st September of the calendar year in which the academic year of the course in question begins, according to whether the academic year of the course in question begins—

- (a) on or after 1st January and before 1st April;
- (b) on or after 1st April and before 1st July;
- (c) on or after 1st July and before 1st August; or
- (d) on or after 1st August and on or before 31st December.

Interpretation

2. In these Regulations —

- (a) “the 2009 Regulations” means the Education (Student Support) (No.2) Regulations (Northern Ireland) 2009(4).
- (b) “the 2007 Regulations” means The Student Fees (Qualifying Courses and Persons) Regulations (Northern Ireland) 2007(5).

PART 2

CHAPTER 1

Removal of old system students and college fee loan provisions

Amendments to the 2009 Regulations

3. In regulation 2 (interpretation)

- (a) in paragraph (1)
 - (i) in the definition of “current system student”, omit paragraph (a) together with the “and” at the end;
 - (ii) omit the following definitions—
 - (aa) “college fee loan”;
 - (bb) “fee contribution loan”;
 - (cc) “gap year student”;
 - (dd) “old system student”;
 - (ee) “qualifying student”;
 - (iii) in the definition of “fees” omit “college fees and”;
 - (iv) in the definition of “fee support” omit “, a fee contribution loan”;
- (b) omit paragraph (4);
- (c) omit paragraphs (6) to (9).

4. In regulation 4 (revocations, savings and transitional provisions), omit paragraphs (4) and (5).

(4) S.R. 2009 No. 373, amended by S.R.s 2010 No. 383, 2012 Nos. 62 and 398, 2013 Nos. 128 and 223, 2014 Nos. 97 and 309, 2016 No. 21, 2017 Nos. 7 and 43, 2018 No. 35, 2019 Nos.35 and 102, 2020 No. 79, 2021 Nos. 50, 85 and 260.

(5) S.R. 2007 No. 328 was amended by Order 2011/1043. S.R.s 2007 No. 375, 2011 Nos. 70 and 376, 2013 No. 37 and 2019 No. 35

5. In regulation 10(2)(6) (time limits)—
 - (a) in sub-paragraph (b)—
 - (i) omit “, a fee contribution loan”;
 - (ii) omit “or a college fee loan”;
 - (iii) for “, an additional amount of fee contribution loan under regulation 36(5),” substitute “or”;
 - (iv) omit “or an additional amount of college fee loan under regulation 85(2)”;
 - (b) in sub-paragraph (c) omit “an additional amount of fee contribution loan under regulation 36(3),”.
6. In Part 4 (fee support) omit—
 - (a) regulation 16 (old system students);
 - (b) regulations 26 to 34 (grants for old system students);
 - (c) regulations 35 and 36 (fee contribution loans for old system students).
7. In Part 5 (grants for living and other costs) omit—
 - (a) regulation 38 (old system students); and
 - (b) regulation 61 (qualifying conditions and amounts of the higher education bursary).
8. In Part 6 (loans for living costs)—
 - (a) in regulation 62 (interpretation of Part 6) omit paragraph (b);
 - (b) omit regulation 64 (qualifying conditions for the loan for living costs – old system students);
 - (c) in regulation 65 (general) in paragraph (1) omit sub-paragraph (b);
 - (d) omit regulation 68 (old system students with full entitlement);
 - (e) in regulation 69 (students with reduced entitlement)
 - (i) omit sub-paragraph (1)(d);
 - (ii) omit sub-paragraph (2)(d);
 - (f) in regulation 76 (deductions from loans for living costs), in paragraph (1), omit “or an old system student with full entitlement”.
9. Omit Part 7 (college fee loans).
10. In Part 8 (financial assessment)—
 - (a) omit regulation 89 (application of contribution – old system students)
 - (b) in regulation 91 (minimum level of loan for living costs)—
 - (i) omit paragraphs (3) and (4);
 - (ii) in paragraph (5) for “(1) to (4)” substitute “(1) or (2)”;
 - (iii) in paragraph (6) for “(1), (2), (3) or (4)” substitute “(1) or (2)”.
11. In Part 9 (payments)—
 - (a) in regulation 96 (general)—
 - (i) omit paragraph (ab);
 - (ii) omit paragraph (b);
 - (b) omit regulation 99A (payment of fee contribution loans);

(6) Sub-paragraph (b) of regulation 10(2) was substituted by [S.R. 2013 No. 128](#).

- (c) omit regulation 100 (payment of college fee loans);
 - (d) omit regulation 103 (overpayments of college fee loan).
- 12.** In Schedule 5 (financial assessment)—
- (a) omit paragraph 8 (calculation of contribution – old system);
 - (b) in paragraph 9(5)(a) omit “(other than old system students)”.

CHAPTER 2

Graduate entry courses

Amendments to the 2009 Regulations

- 13.** In regulation 2(1)(7) (interpretation), in the appropriate place insert—
- “graduate entry course” means a “graduate entry dentistry course”, “graduate entry medicine course”, “graduate entry social work course” or a “graduate entry veterinary course”.
- “graduate entry dentistry course” means a course—
- (a) the standard of which is not higher than a first degree which leads to qualification as a dentist, and
 - (b) where a first degree or equivalent qualification would normally be required for entry to the course.
- “graduate entry medicine course” means a course—
- (a) the standard of which is not higher than a first degree which leads to qualification as a medical doctor, and
 - (b) where a first degree or equivalent qualification would normally be required for entry to the course.
- “graduate entry social work course” means a course—
- (a) the standard of which is not higher than a first degree which leads to qualification as a social worker, and
 - (b) where a first degree or equivalent qualification would normally be required for entry to the course.
- “graduate entry veterinary course” means a course—
- (a) the standard of which is not higher than a first degree which leads to qualification as a veterinary surgeon, and
 - (b) where a first degree or equivalent qualification would normally be required for entry to the course;”.

14. In regulation 6(8) (designated courses), in paragraph (4), in the words before subparagraph (a), after “degree course” insert “(other than a graduate entry course)”.

15. In regulation 107(9) (designated distance learning courses), in paragraph (2)(a), after “teachers” insert “or a graduate entry course”.

16. In regulation 124(10) (designated part-time courses), in paragraph (1)(a), after “teachers” insert “or a graduate entry course”.

(7) There are no relevant amendments to regulation 2.
 (8) There are no relevant amendments to regulation 6.
 (9) There are no relevant amendments to regulation 107.
 (10) There are no relevant amendments to regulation 124.

17. In Schedule 3(11) (designated courses), after paragraph 8, insert—
“9. A graduate entry course.”.

CHAPTER 3

Disabled Students' Allowance

Amendments to the 2009 Regulations

18. In regulation 2(1) (interpretation), after the definition of “transitional award”, insert—
““travel expenditure” means the additional expenditure incurred by a student—
(a) within the United Kingdom or the Republic of Ireland for the purposes of attending their institution; or
(b) within or outside the United Kingdom for the purposes of attending, as part of their course, any period of study at an overseas institution or for the purposes of attending the Institute;”.
19. In regulation 41 (qualifying conditions for the disabled students' allowance)—
(a) number existing text as (1);
(b) after newly numbered sub-paragraph (1), insert—
“(2) The expenditure for which the grant may be paid includes, in particular—
(a) expenditure on a non-medical personal helper;
(b) expenditure on major items of specialist equipment;
(c) travel expenditure.”
20. In regulation 42 (amount of the disabled students' allowance)(12)—
(a) for paragraph (2) substitute—
“(2) The amount of the disabled students' allowance in respect of an academic year—
(a) for expenditure other than travel expenditure, must not exceed £25,000;
(b) for travel expenditure, must not exceed the additional expenditure incurred.”
(b) omit paragraphs (3) and (4);
(c) in paragraph (5) omit “, except where the allowance is used for expenditure on major items of specialist equipment”;
(d) in paragraph (6) for the words “for the purposes specified” to the end substitute—
“in respect of—
(a) the quarter in which the relevant event occurs, and
(b) if relevant, such quarters as begin after the relevant event occurs.”
21. In regulation 112 (disabled distance learning students' allowance)(13)—
(a) After sub-paragraph (1) insert—
“(1A) The expenditure for which the grant may be paid includes, in particular—
(a) expenditure on a non-medical personal helper;

(11) There are no relevant amendments to Schedule 2.

(12) Regulation 42 was amended by S.Rs 2012 No. 398, 2021 Nos 50 and 85 and 260.

(13) Regulation 112 was amended by S.Rs 2010 No. 383, 2012 No. 398, S.R. 2017/43, S.R.s 2018 No. 35 and 2021 Nos 50 and 85 and 260.