STATUTORY RULES OF NORTHERN IRELAND

2013 No. 128

EDUCATION

The Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009 (Amendment) Regulations (Northern Ireland) 2013

Made - - - -	*8th May 2013*
Coming into operation-	*6th June 2013*

The Department for Employment and Learning (**1**) makes the following Regulations in exercise of the powers conferred by Articles 3 and 8(4) of the Education (Student Support) (Northern Ireland) Order 1998(**2**) and now vested in it(**3**).

Citation, commencement and application

1.—(1) These Regulations may be cited as the Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009 (Amendment) Regulations (Northern Ireland) 2013 and come into operation on 6th June 2013.

(2) These Regulations apply in relation to the provision of support to students in relation to an academic year which begins on or after 1st September 2013 whether anything done under these Regulations is done before, on or after 1st September 2013.

Amendment of the Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009

2. The Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009(**4**) are amended as provided by regulations 3 to 15.

3. In regulation 2(1)—

(a) for the definition of "current system student", substitute—

""current system student" means an eligible student—

(**1**) Formerly known as the Department of Higher and Further Education, Training and Employment; *see* the Department for Employment and Learning Act (Northern Ireland) 2001 c.15

(**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 Income Tax (Earnings and Pensions) Act 2003 (c.1), Schedule 6, the Finance Act 2003, (c.14), s. 147(4) and by the Higher Education (Northern Ireland) Order 2005, (S.I. 2005/1116 (N.I. 5)), Articles 11 and 12

(**3**) S.R. 1999 No. 481*see* Article 5(b) and Schedule 3 Part II

(**4**) S.R. 2009 No. 373 as amended by S.R. 2010 No. 383 and S.R. 2012 Nos. 62 and 398

(a) who is not an old system student; and

(b) who—

(i) began the current course on or after 1st September 2006 and continued on that course after 31st August 2010;

(ii) began the current course on or after 1st September 2010; or

(iii) where the current course is at a relevant institution of higher education in the Republic of Ireland, begins the course on or after 1st September 2013";

(b) in the definition of "fees" after "college fees" insert "and student contribution charge";

(c) in the definition of "fee support" for "or a fee loan" substitute ", a fee loan or a relevant institution charge loan";

(d) in the definition of "old system student" in sub-paragraph (d), after "on or after 1st September 2006" insert "but before 1st September 2013";

(e) after the definition of "refugee" insert—

""relevant institution charge loan" means a loan for student contribution charge pursuant to regulations made by the Department under Article 3 of the Order;";

(f) after the definition of "statutory award" insert—

""student contribution charge" means the charge payable by students at a relevant institution of higher education in the Republic of Ireland;".

4. In regulation 5(3) after sub-paragraph (g) insert—

"(h) A has been awarded a grant or award of similar description by an awarding authority in another Member State in respect of his attendance on a course at a relevant institution of higher education in the Republic of Ireland which he begins on or after 1st September 2013."

5. For regulation 10(2)(b) substitute—

"(b) the applicant is making a separate application for a fee loan, a relevant institution charge loan, a fee contribution loan, a loan for living costs or a college fee loan or is applying for an additional amount of fee loan under regulation 25(4) or (10), an additional amount of relevant institution charge loan under regulation 25A(4) or (10), an additional amount of fee contribution loan under regulation 36(5), an additional amount of loan for living costs under regulation 77(3) or an additional amount of college fee loan under regulation 85(2) in which case the application must reach the Department not later than one month before the end of the academic year to which the application relates;"

6. In regulation 15 after "fee loan in respect of fees" insert "or relevant institution charge loan in respect of student contribution charge".

7. In regulation 20 after "fee loan" in each instance that it occurs insert "or relevant institution charge loan".

8. In regulation 25—

(a) In paragraph (5)(a) after "exceed the fees" insert "or student contribution charge";

(b) In paragraph (6) after "apply to the Department for" insert "a fee loan or";

(c) In paragraph (8) after "the amount of any fee loan" insert "or relevant institution charge loan".

9. After regulation 25 insert—