STATUTORY RULES OF NORTHERN IRELAND

2001 No. 77

EDUCATION

Education (Student Support) (Amendment No. 3) Regulations (Northern Ireland) 2001

Made - - - - 23rd February 2001

Coming into operation 2nd April 2001

The Department of Higher and Further Education, Training and Employment, in exercise of the powers conferred by Articles 3 and 8(4) of the Education (Student Support) (Northern Ireland) Order 1998(**1**) and now vested in it(**2**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Education (Student Support) (Amendment No. 3) Regulations (Northern Ireland) 2001 and shall come into operation on 2nd April 2001.

Amendment of the Education (Student Support) Regulations (Northern Ireland) 2000

2.—(1) The Education (Student Support) Regulations (Northern Ireland) 2000(**3**) shall be amended in accordance with paragraphs (2) to (13).

(2) In regulation 2—

(a) in paragraph (1)—

(i) in the definition of "eligible part-time student" substitute for the words "attendance at" the word "undertaking";

(ii) in the definition of "statutory award" substitute for the words "attendance at" the word "undertaking";

(b) in paragraph (2) substitute for the word "attending" (in each place where it appears) the word "undertaking";

(c) in paragraph (6)—

(i) delete the word "attending" (where it first appears);

(**1**) S.I. 1998/1760 (N.I. 14)
(**2**) S.R. 1999 No. 481; Article 5(*b*) and Part II of Schedule 3
(**3**) S.R. 2000 No. 213, amended by S.R. 2000 No. 254 and S.R. 2000 No. 296

(ii) substitute for the word "attending" (where it appears for the second time) the word "it".

(3) In regulation 3(2) substitute for the words "attendance at" the word "undertaking".

(4) In regulation 9(2)(*c*)—

(a) substitute for the word "attend" the word "undertake";

(b) substitute for the word "return" the words "continue it".

(5) In regulation 18(1)(*b*) substitute for the word "attending" the word "undertaking".

(6) In regulation 27—

(a) in paragraph (1) substitute for the words "attendance at" the word "undertaking";

(b) in paragraph (2)—

(i) in sub-paragraph (*b*) substitute for the words "attendance on" the word "undertaking";

(ii) delete sub-paragraph (*c*).

(7) In regulation 29—

(a) in paragraph (1)—

(i) in sub-paragraph (*b*) substitute for the word "attending" the word "undertaking";

(ii) add after sub-paragraph (*b*)—

"and

(c) in respect of the second and any subsequent year of his part-time course, he is ordinarily resident in Northern Ireland on the first day of the academic year.";

(b) for paragraph (2) substitute—

"(2) An eligible part-time student shall not be eligible for a loan if—

(a) he holds a first degree from an educational institution in the United Kingdom or a comparable qualification from an educational institution outside the United Kingdom; or

(b) there have been paid to him 6 loans in connection with his undertaking one or more designated part-time courses.";

(c) after paragraph (3) insert—

"(3A) Subject to paragraph (3B), an eligible part-time student shall not be eligible for a loan if he is a prisoner serving a custodial sentence.

(3B) Paragraph (3A) shall not apply in respect of an academic year during which the student enters prison to serve a custodial sentence or is released from prison having served such a sentence.";

(d) in paragraph (8) substitute (in the appropriate places) for the definitions of "child", "dependent" and "spouse" the following definitions—

""child" in relation to an eligible part-time student includes a step-child and any child for whom the student has parental responsibility and, in the case of an eligible part-time student aged 25 or over on the first day of the academic year in respect of which his eligibility for a loan is being assessed, any child of his partner;

"dependent" means wholly or mainly financially dependent;