STATUTORY RULES OF NORTHERN IRELAND

2000 No. 175

EDUCATION

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

Made - - - -	*18th May 2000*
Coming into operation	*20th June 2000*

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:

1. These Regulations may be cited as the Education (Student Support) (Amendment) Regulations (Northern Ireland) 2000 and shall come into operation on 20th June 2000.

2. The Education (Student Support) Regulations (Northern Ireland) 1999(**3**) shall be amended in accordance with regulations 3 to 7.

3. In regulation 2(1)—

(a) in the definition of "disability related benefit" after the words "disability working allowance" insert the words "or disabled person's tax credit";

(b) in the definition of "high cost country" for the words "countries of the former Soviet Union" substitute the words "the Commonwealth of Independent States".

4. In regulation 15—

(a) in paragraph (1)(*a*)(iii) substitute for "£2,075" the figure "£2,980";

(b) in paragraph (11)(*a*)—

(i) after the word "disability" insert the words "or incapacity"; and

(ii) omit the words after the words "is subject".

5.—(1) In regulation 25(2)—

(a) after "Part IV" insert the words "other than a grant for dependants";

(**1**) S.I. 1998/1760 (N.I. 14)
(**2**) By S.R. 1999 No. 481 Article 5(*b*) and Part II of Schedule 3
(**3**) S.R. 1999 No. 192 as amended by S.R. 1999 No. 370

(b) in sub-paragraph (*a*) after the word "grant" wherever it appears insert the words "other than a grant for dependants" and omit the words "if necessary";

(c) for sub-paragraph (*b*) substitute the following sub-paragraph:

"(b) where the student upon completion of his course immediately commences another course disregarding any intervening vacation by subtracting the overpayment from any payment of grant for living costs (other than a grant for dependants) for which he is eligible in respect of any academic year in connection with the second course;".

(2) After regulation 25(2) insert the following paragraph:

"(2A) Any over payment of grant for dependants under Part IV shall be recovered in such one or more of the following ways as the Department considers appropriate in all the circumstances:

(a) by subtracting the opverpayment from any grant for dependants for which the student is eligible in respect of the academic year in question or for which he is eligible in respect of any other academic year;

(b) where a student upon completion of his course immediately commences another course disregarding any intervening vacation by subtracting the overpayment from any payment of such grant for which he is eligible in respect of any academic year in connection with the second course; and

(c) by taking such other action for the recovery of a payment without statutory authority as is available to it."

(3) In regulation 25(5)—

(a) for sub-paragraph (*b*) substitute the following sub-paragraph:

"(b) where a student upon completion of his course immediately commences another course disregarding any intervening vacation by subtracting the overpayment from any payment of loan for which he is eligible in respect of any academic year in connection with the second course;".

6. In Schedule 1 for paragraph 3(*a*) there shall be substituted:

"(a) (i) has been informed by a person acting under the authority of the Secretary of State for the Home Department that, although he is considered not to qualify for recognition as a refugee, it is thought right to allow him to enter or remain in the United Kingdom, or

(ii) before 1st July 1993 applied to the Secretary of State for the Home Department for recognition as a refugee and who has been informed by a person acting under the authority of the Secretary of State for the Home Department that it is thought right to allow him to enter or remain in the United Kingdom,".

7. In Schedule 3 in paragraph 1(1)(*p*) after the words "family credit" insert the words "or working families' tax credit".