STATUTORY RULES OF NORTHERN IRELAND

1996 No. 578

EDUCATION

Maintenance Allowances (Pupils over Compulsory School Age) Regulations (Northern Ireland) 1996

Made - - - -	*11th December 1996*
Coming into operation	*11th January 1997*

The Department of Education in exercise of the powers conferred on it by Articles 50(1) and (2) and 134(1)(**1**) of the Education and Libraries (Northern Ireland) Order 1986(**2**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Maintenance Allowances (Pupils over Compulsory School Age) Regulations (Northern Ireland) 1996 and shall come into operation in accordance with paragraphs (2) and (3).

(2) These Regulations shall come into operation on 11th January 1997 and subject to paragraph (3), shall have effect from 1st September 1995.

(3) Schedule 2 shall have effect from 1st September 1996.

Revocation

2. The Maintenance Allowances (Pupils over Compulsory School Age) Regulations (Northern Ireland) 1994(**3**) are hereby revoked.

Interpretation

3. In these Regulations, "the Order" means the Education and Libraries (Northern Ireland) Order 1986.

Eligibility criteria

4. Subject to the provisions of these Regulations a board shall pay a maintenance allowance in respect of a pupil who—

(**1**) As amended by S.I. 1993/2810 (N.I. 12) Article 50(1) and Schedule 4 Part II
(**2**) S.I. 1986/594 (N.I. 3)
(**3**) S.R. 1994 No. 298

(a) has attained the upper limit of compulsory school age;

(b) is following a full-time course at a grant-aided school or institution of further education;

(c) has not been awarded under the provisions of Article 50 or 51 of the Order any other award which includes provision for his maintenance; and

(d) is ordinarily resident in its area.

Amount of allowance

5. The amount of the maintenance allowance shall be determined in accordance with Schedule 1 or Schedule 2 and the allowance shall be paid at such times and in such manner as the board may determine.

Terms and conditions

6.—(1) Subject to the provisions of these Regulations, where a pupil is deemed to have attained the upper limit of compulsory school age on:

(a) 30th June 1995, the amount of the maintenance allowance shall be determined in accordance with Schedule 1 and shall be payable from 1st September 1995; or

(b) 30th June 1996, the amount of the maintenance allowance shall be determined in accordance with that Schedule as in operation on 1st September 1996 and shall be payable from 1st September 1996,

and such maintenance allowance shall normally be payable for a period of twelve months but, subject to reassessment, shall be renewable for a further period or periods so long as is necessary in the opinion of the board to enable the pupil to complete the course in respect of which the maintenance allowance is granted.

(2) The board may at any time terminate a maintenance allowance if it is satisfied, after consultation with the principal of the school or institution of further education that the conduct, progress or attendance of the pupil is not satisfactory.

7. An application for a maintenance allowance shall be made annually in such form, contain such information, be accompanied by such documents and be submitted by such date as the board shall require.

8. It is a condition of the payment of a maintenance allowance under these Regulations that the parent of a pupil in respect of whom it is claimed shall inform the board of any change in his financial circumstances; and if the board has reason to believe that such a change has occurred or if the parent represents that such a change has occurred the board shall give the parent an opportunity of submitting a revised application and thereafter shall reconsider and if necessary adjust the amount of or cancel the maintenance allowance.

9. It is a condition of the payment of a maintenance allowance under these Regulations that the parent of a pupil in respect of whom it is being paid shall inform the board immediately of any change in his place of residence.

Sealed with the Official Seal of the Department of Education on 11th December 1996.

Robson Davison
Assistant Secretary