1973. No. 406 **[C]**

EDUCATION

University and Further Education Awards

REGULATIONS, DATED 28TH SEPTEMBER 1973, MADE BY THE MINISTRY OF EDUCATION UNDER ARTICLE 39 OF THE EDUCATION AND LIBRARIES (NORTHERN IRELAND) ORDER 1972.

The Ministry of Education (hereinafter referred to as "the Ministry") on behalf of the Secretary of State and in exercise of the powers conferred upon it by Article 39 of the Education and Libraries (Northern Ireland) Order 1972(**a**) and of all other powers enabling it in that behalf hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the University and Further Education Awards Regulations (Northern Ireland) 1973.

(2) These Regulations shall come into operation on 1st October 1973.

2.—(1) In these Regulations—

"academic authorities" means the authorities of the university or other institution which the student is attending;

"education committee" means an education committee constituted under section (2) of the Education Act (Northern Ireland) 1947(**b**);

"sandwich course" means a course consisting of alternate periods of full-time study in a university or approved institution and associated industrial, professional or commercial experience so organised that taking the course as a whole the student attends the periods of full-time study for an average of not less than 19 weeks in each year; and for the purpose of calculating attendance the course shall be treated as beginning with the first period of full-time study and ending with the last such period;

"year" as regards any course means the period of 12 months beginning on 1st January, 1st April or 1st September according as the academic year of the course in question begins in the spring, the summer or the autumn respectively.

(2) For the purposes of these Regulations a person's marriage is to be treated as having been terminated, not only by the death of the other spouse or the annulment or dissolution of the marriage by an order of a court of competent jurisdiction, but also by virtue of the parties to the marriage ceasing to live together, whether or not an order for their separation has been made by any court.

Making of awards

3. Subject to the provisions of these Regulations a board shall make an award to each student admitted for the first time to—

(1) a full-time or sandwich first degree course at a university in the United Kingdom; or

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(**a**) S.I. 1972, No. 1263 (N.I. 12). (**b**) 1947. c. 3.

(2) a full-time or sandwich course at an approved institution which is regarded by the Ministry as comparable to a first-degree course:

Provided that before the commencement of the course the student has obtained passes at Advanced Level in two subjects in a General Certificate of Education examination or a standard of attainment which is regarded by the Ministry as equivalent.

4.—(1) Subject to the provisions of paragraph (2) a board may at its discretion make an award to a student admitted to—

(*a*) a course at a university outside the United Kingdom provided that in the case of a full-time first degree course the student before the commencement of the course has obtained passes at Advanced Level in two subjects in a General Certificate of Education examination or a standard of attainment which is regarded by the Ministry as equivalent;

(*b*) a course specified in Regulation 3 although the student is not eligible for an award under the provisions of that Regulation;

(*c*) a full-time, part-time or sandwich course at an approved institution;

(*d*) any other approved full-time, part-time or sandwich course.

(2) A board may not make awards for courses which are approved for the purposes of awards under the Training of Teachers (Scholarships) Regulations (Northern Ireland) 1973(**c**) or the Postgraduate Awards Regulations (Northern Ireland) 1969(**d**).

5.—(1) A board may refuse to make an award to a person who—

(*a*) has not been ordinarily resident in the United Kingdom for at least three years immediately preceding the date on which the course in respect of which the award is sought is due to begin and resident in the board's area on the last day of the month of October, February or June, preceding the beginning of the course, according as the course begins in the spring, summer or autumn term respectively, except in the case of a person who would have been so resident had he, his wife (or in the case of a woman student her husband) or his parent not been employed for the time being outside the United Kingdom; a student shall not be regarded as ordinarily resident in the United Kingdom for the purpose of an award if he was so resident wholly or mainly for the purpose of attending a full-time course of education;

(*b*) has in the opinion of the board shown himself by his conduct to be unfitted to receive an award;

(*c*) has attended a full-time course of initial training as a teacher or has successfully completed a part-time course of such training;

(*d*) has previously attended a full-time course at a university or institution or one approved by the Ministry as comparable;

(*e*) has attended any full-time course of further education of not less than two years' duration which the Ministry regards as being at a level higher than the General Certificate of Education Advanced Level examination;

(**c**) S.R. & O. (N.I.) 1973, No. 350. (**d**) S.R. & O. (N.I.) 1969, No. 108.

(*f*) has successfully completed a part-time course of postgraduate or post-diploma instruction or one in preparation for a degree, Higher National Diploma, Higher National Certificate, Diploma in Management Studies, Diploma in Art and Design or a final professional examination of a standard above that of the examination for the Ordinary National Certificate or the General Certificate of Education (Advanced Level).

(2) For the purposes of this Regulation a student shall be deemed to have attended a course if he has attended any part of that course.

Commencement, transfer and termination of awards

6. An applicant to whom an award is made shall enter upon the award in the year in which it is made unless the board otherwise approves.

7.—(1) Each award shall, subject to satisfactory attendance, conduct and progress be tenable to the end of the period normally required for the completion of the course of study in respect of which the award was made.

(2) If a student holding an award is recommended before the expiry of two months after the end of the first year of the course by the academic authorities to transfer to another course at the same university or institution or with the consent of the academic authorities of both bodies concerned, given on educational grounds before the expiry of two months after the end of the first year, commences to attend a course at another university or institution, then in the case of awards made under Regulation 3 the board shall continue the award for the period normally required to complete the new course and in the case of awards made under Regulation 4 the board may at its discretion continue the award.

(3) The board may, after consultation with the academic authorities, refuse to transfer an award under paragraph (2) if it is satisfied that when the student applied for the award he did not intend to complete the course to which the application related.

(4) The board may continue an award beyond the aforementioned periods if it thinks it appropriate to do so.

(5) The board may suspend or terminate an award or withhold or reduce any payment normally due in respect of the award if, after consultation with the academic authorities, it is of the opinion that the attendance, conduct or progress of the student is not satisfactory.

8.—(1) Should a student fail to observe any of the conditions under which an award has been made the board may suspend or terminate it.

(2) As a condition of an award the board may require the applicant to give an undertaking that he will attend regularly at the university or institution and complete the course for which the award is tenable; and that if for any reason he should cease attendance before the normal date of termination of the award he will, if requested by the board, refund such sum as may be determined by the board to have been paid in respect of the period after attendance ceased.

(3) Any such undertaking may also provide for the refund of any advance made before notification of a change in financial circumstances under Regulation 11.

Calculation and payment of awards

9. The value of an award shall be determined annually in accordance with the provisions of these Regulations:

Provided that where a board is unable to determine the amount of any contribution assessable under these Regulations or in other exceptional circumstances the value of the award shall be such as the board, with the approval of the Ministry, may determine.

10.—(1) Each application for an award shall be in such form, contain such information and be accompanied by such documents as a board may require.

(2) For the purpose of the annual determination of the value of an award or of any reassessment deemed necessary by a board the student shall furnish or cause to be furnished such further information accompanied by such documents as a board may at any time require.

(3) A board may withhold any payment to or in respect of any student who is for the time being in default of the requirements in paragraphs (1) and (2) to provide such information:

Provided that in the case of a student (other than a student attending a part-time or sandwich course) to whom apart from the foregoing provisions of this paragraph a grant would be payable the board shall in respect of any year in which he remains in default pay a grant of a sum not less than the amount which would have been payable if paragraph (3) or (4) of Regulation 14 had applied.

11.—(1) A student who obtains any scholarship, exhibition, bursary or award under any other scheme, endowment or foundation or acquires any source of income or engages in any form of employment, apart from vacation employment, shall immediately inform the board.

(2) The student shall immediately give or cause to be given to the board information of any change in circumstances affecting the value or tenure of the award.

(3) A student shall inform the board if he is absent from a course through illness for a continuous period exceeding 28 days or otherwise than through illness for any period.

(4) If the student is absent from a course through illness for a continuous period of 28 days, or otherwise than through illness for any period, the board may, at its discretion, and having regard to any saving of expense to the student arising out of his absence, reduce the amount of the prescribed payments.

12. An award shall be paid in such manner as the board, under arrangements approved by the Ministry, may determine.

Value of awards

13.—(1) The value of an award for a full-time course shall be for each academic year the allowable amount calculated under Regulation 14:

Provided that in the case of awards made under Regulation 4, the board may, where it is satisfied that the expenses of the student are substantially less than the amount calculated under Regulation 14, determine the value of the award having regard to such expenses.

(2) The value of an award for a sandwich or a part-time course shall be calculated in such manner as the Ministry may from time to time approve.

Full-time courses

14.—(1) The allowable amount for an award for a full-time course shall be the aggregate of—

(*a*) the approved fees charged by the university or institution;

(*b*) the appropriate standard grant towards term-time and vacation maintenance, travel and the cost of books and stationery, in accordance with Regulation 15;

(*c*) additional grants where appropriate in accordance with Regulation 16;

(*d*) dependants' grants where appropriate in accordance with Regulation 17 or 18;

(*e*) an older student's allowance where appropriate in accordance with Regulation 19.

(2) The allowable amount as calculated under paragraph (1) shall be reduced where appropriate by—

(*a*) a contribution assessed on the student's income in accordance with Regulation 20; and

(*b*) a contribution assessed on the income of the student's parents in accordance with Regulation 21.

(3) Where the value of an award for a full-time course made under Regulation 3 and calculated in accordance with paragraphs (1) and (2) is less than £50 a minimum grant of £50 shall be paid except in the case of a student—

(*a*) who holds a state scholarship or any award from a government department or other public body or is in receipt of any other payment in respect of his attendance at the course; and

(*b*) to, or in respect of, whom there is paid in pursuance of that scholarship, award or payment an amount which is not less than the aggregate of the approved fees and the standard grant payable in accordance with paragraph (1) of Regulation 16.

(4) Where the value of an award for a full-time course made under Regulation 4 and calculated in accordance with paragraphs (1) and (2) is less than £50 a minimum grant of £50 or an amount equal to the aggregate of the approved fees charged by the institution together with the cost of necessary books, stationery etc., shall be paid whichever is less.

Standard grant

15.—(1) Subject to the provisions of this Regulation the standard grant shall be calculated at the following annual rates:—

(*a*) Where the student resides in his parent's home . . . £390

(*b*) where the student does not reside in his parent's home:

(i) if in attendance at Oxford University, Cambridge University, London University or any other approved institution within the City of London or the Metropolitan Police District . £520

(ii) if in attendance at other universities or approved institutions elsewhere in the British Islands £485

(*c*) where the student is required as part of a course to attend at a university or approved institution outside the British Islands £520