1972. No. 234 **[C]**

EDUCATION

Training Scholarships

REGULATIONS, DATED 29TH AUGUST 1972, MADE BY THE MINISTRY OF EDUCATION UNDER THE EDUCATION ACTS (NORTHERN IRELAND) 1947 TO 1968, WITH THE APPROVAL OF THE MINISTRY OF FINANCE.

The Ministry of Education (hereinafter referred to as "the Ministry") on behalf of the Secretary of State and in exercise of the powers vested in it by Sections 59 and 77 of the Education Act (Northern Ireland) 1947(a), and of every other power enabling it in that behalf, and with the approval of the Ministry of Finance hereby makes the following Regulations:

1.—(1) These Regulations may be cited as the Training of Teachers (Scholarships) Regulations (Northern Ireland) 1972.

(2) These Regulations shall have effect from 1st September 1972.

(3) The Training of Teachers (Scholarships) Regulations (Northern Ireland) 1970(b) are hereby revoked with effect from 31st August 1972.

2. Subject to the provisions of these Regulations—

(1) The Ministry shall, except as provided in Regulation 3, award a scholarship to or in respect of each student admitted for the first time to an approved course of teacher training at a college or other institution in Northern Ireland.

(2) The Ministry may award a scholarship to or in respect of a student admitted to any other institution approved by the Ministry for teacher training purposes.

3. The award of a scholarship shall be at the discretion of the Ministry in the case of a student who—

(1) has previously attended an initial full-time course of teacher training or a course deemed by the Ministry to be equivalent thereto; or

(2) has successfully completed a part-time course of teacher training; or

(3) has attended a full-time course of further education of not less than two years duration, being a course which in the opinion of the Ministry is above the level of a course leading to a General Certificate in Education ("A" Level) Examination; or

(4) has not been—

(*a*) ordinarily resident in the United Kingdom for at least three years immediately preceding the date on which his course of training as a teacher is due to begin; and

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(a) 1947. c. 3.
(b) S.R. & O. (N.I.) 1970, No. 250; S.R. & O. (N.I.) 1971, No. 321; S.R. & O. (N.I.) 1971, No. 385.

(*b*) resident in Northern Ireland on the last day of the month of June, October or February preceding the beginning of the course according as the course begins in the autumn, spring or summer term respectively,

except in the case of a student who would have been so resident had he, his wife or his parent (or in the case of a woman student, she, her husband or her parent) not been employed for the time being outside the United Kingdom:

Provided that a student shall not be regarded as ordinarily resident in the United Kingdom for the purposes of this Regulation if he was so resident wholly or mainly for the purpose of attending a full-time course of education.

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.

4.—(1) Each scholarship 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) The Ministry shall extend the normal period of a scholarship to facilitate a student in changing his course or his college or other institution where the Ministry considers such a change appropriate.

(3) The Ministry may extend the normal period—

(*a*) to enable a student to follow an associated course of study either during or at the end of the principal course; or

(*b*) to enable a student on account of illness or for other reason acceptable to the Ministry to repeat any portion of a course.

(4) The Ministry may suspend or terminate a scholarship or withhold or reduce any payment normally due in respect of the scholarship if, after consultation with the authorities of the college or other institution, it is of the opinion that the attendance, conduct or progress of the student is not satisfactory.

(5) If a student is absent from a course through illness for a period of more than 28 days, the Ministry may at its discretion reduce any payment normally due in respect of the scholarship.

5.—(1) The value of a scholarship other than a scholarship to which paragraph (2) applies shall be determined annually in accordance with the provisions of the First or Second Schedule as appropriate.

(2) Where a scholarship is awarded—

(*a*) to or in respect of a student admitted to a college or other institution outside Northern Ireland, or

(*b*) to or in respect of a student in whose case the application of the First or Second Schedule would, in the opinion of the Ministry, otherwise be impracticable or inappropriate,

the value of the scholarship shall be such as the Ministry, under arrangements approved by the Ministry of Finance, may determine.

6.—(1) Each application for a scholarship shall be in such form, contain such information and be accompanied by such documents as the Ministry may require.

(2) For the purpose of the annual determination of the value of a scholarship or of any reassessment deemed necessary by the Ministry, the student or his parent shall furnish such further information or such further documents as the Ministry may at any time require.

(3) The Ministry may take such steps as it considers necessary to satisfy itself of the accuracy of information furnished under the provisions of paragraphs (1) and (2).

(4) The Ministry may withhold any payment to or in respect of any student until the requirements of paragraphs (1) and (2) have been met:

Provided that if it is satisfied that a grant would be payable to the student if the requirements of paragraphs (1) and (2) were met the Ministry shall pay a grant of not less than £50 in respect of any year in which such requirements are not met.

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

(2) The student or his parent shall immediately inform the Ministry of any change otherwise in financial circumstances or place of residence.

8. A scholarship shall be paid in such manner as the Ministry may determine.

9. The Ministry may require the student to give an undertaking that he will attend regularly at the college or other institution and complete the course for which the award is tenable and that if for any reason he ceases to attend before the normal date of termination of the award he shall refund such sum as may be determined by the Ministry to have been paid in respect of the period after he ceases to attend, and any such undertaking may also provide for the refund of any advance made before notification of a change in financial circumstances under Regulation 7.

10. Where a student fails at any time to observe any of the conditions under which a scholarship has been awarded the Ministry may suspend or terminate the scholarship.

11. A student who held an award under the Training of Teachers (Scholarships) Regulations (Northern Ireland) 1970 shall continue to hold the award as if it had been made under these Regulations and the value of any such continuing scholarship shall be determined either under the provisions of these Regulations or under the provisions of those Regulations whichever is the more advantageous to the student.

Sealed with the Official Seal of the Ministry of Education for Northern Ireland this 29th day of August 1972.

(L.S.) *G. I. Dent,*
Senior Assistant Secretary.

The Ministry of Finance for Northern Ireland on behalf of the Secretary of State hereby approves the foregoing Regulations.

Sealed with the Official Seal of the Ministry of Finance for Northern Ireland this 29th day of August 1972.

(L.S.) *A. J. Green,*
Assistant Secretary.

FIRST SCHEDULE

Ordinary Students

1. The provisions of this Schedule shall apply in accordance with Paragraph (1) of Regulation 5 in determining the value of scholarships other than scholarships assessable under the Second Schedule.

2.—(1) The value of a scholarship for each academic year shall be the maximum allowable amount calculated under Paragraph 3 reduced by any personal income of the student in excess of £100 (including any other scholarship, award, bursary or prize held by the student from whatever source) and by a contribution assessed under Paragraph 4 on the income of the student's parents, except where the Ministry is satisfied that the student's parents cannot be found.

(2) A student who has no parent living may retain, before any reduction is made, £200 of any trust income as described in Paragraph 6 of this Schedule or up to £100 of personal income together with such amount of any trust income that the aggregate of personal and trust income does not exceed £200.

(3) Where the benefit from an award so reduced is less than £50 a minimum grant of £50 shall be payable.

(4) Personal income for the purpose of this Paragraph shall be net income, that is to say income received after the deduction of income tax and National Insurance contributions and Graduated Pension contributions, if any; and the following shall be ignored:—

(*a*) vacation earnings;

(*b*) disability pensions not liable to income tax;

(*c*) any income received in respect of service as a Reservist with the Armed Forces or in the Ulster Defence Regiment or in the Royal Ulster Constabulary Reserve;

(*d*) covenanted payments made to a student by a parent in respect of whom a contribution is assessed;

(*e*) grants for specific educational purposes such as foreign travel, not provided for by the scholarship award;

(*f*) competitive prizes paid as a single payment which do not stipulate further study;

(*g*) family allowances and any benefit under the Supplementary Benefits &c. Act (Northern Ireland) 1966.

3.—(1) The maximum allowable amount shall be the total of the approved fees charged by the college or other institution, including the boarding fee in the case of a student resident in a college of education, together with a standard grant as provided in sub-paragraph (2)(*a*) and where appropriate an additional grant as provided in sub-paragraph (3).

(2) (*a*) The standard grant towards term-time and vacation maintenance, travel and the cost of books and stationery shall consist subject to the provisions of sub-paragraph (*b*) of a basic element selected as appropriate from the following and an additional element calculated in accordance with sub-paragraph (*c*):—

(i) where the student is resident in a college of education . . £200

(ii) where the student resides at the parental home . . . £355

(iii) where the student is in attendance at Oxford University, Cambridge University, London University or any other establishment within the city of London or the Metropolitan Police District and resides in hall or lodgings or, in the case of a married student, in the matrimonial home £480

(iv) where the student is in attendance at a university or establishment elsewhere and resides in hall or lodgings or, in the case of a married student, in the matrimonial home £445

(*b*) (i) The basic element for a married woman who resides in the matrimonial home shall be £275 unless—

(1) her husband is incapacitated and dependent on her; or

(2) he is attending a full-time course at a university or other institution;

and in either of these cases the appropriate element from sub-paragraph (*a*) shall apply.

(ii) Where a student who is not married resides in hall or lodgings but could in the opinion of the Ministry conveniently attend the course from the parental home he shall not be entitled to receive the appropriate element at (iii) or (iv) of sub-paragraph (*a*) unless the Ministry is satisfied after consultation with the academic authorities that it is appropriate for him to live in hall or lodgings. Where the Ministry is not so satisfied the element at (ii) of sub-paragraph (*a*) shall apply.

(iii) A student residing at the parental home whose parents by reason of age or incapacity cannot reasonably be expected to support him may receive the appropriate element at (iii) or (iv) of sub-paragraph (*a*).

(iv) In this sub-paragraph and in sub-paragraphs (*a*) and (*c*) references to the parental home include, in the case of a student whose spouse is a full-time student, the home of the parent of the student's spouse.

(*c*) The additional element shall be calculated as follows:—

(i) where the student attends the college or other institution for any period over 31 weeks in a year, or 26 weeks if he is at Oxford University or Cambridge University, a payment shall be made in respect of the excess period as follows for each additional fortnight or incomplete part of an additional fortnight—

where the student resides at the parental home . . . £9.80

where the student is in attendance at a college or other institution within the City of London or the Metropolitan Police District and resides in hall or lodgings or, in the case of a married man student, in the matrimonial home £19.60

where the student is in attendance at a college or other institution elsewhere and resides in hall or lodgings or, in the case of a married student, in the matrimonial home £16.80

Provided that the payment to a married woman student who resides in the matrimonial home shall be £9.80 unless—

(1) her husband is incapacitated and dependent on her; or

(2) he is attending a full-time course at a university or other institution;

and in either of these cases the payment shall be £19.60 or £16.80 as appropriate.

(ii) if, on the recommendation of the authorities of the college or other institution, the student undertakes as part of his course a period of residential study away from his college or other institution during term time and thereby incurs additional expenditure a sum not exceeding £1.30 per day may be included;

(iii) if, on the recommendation of the authorities of the college or other institution, the student undertakes a course of vacation study under their guidance a payment of £1.40 per day if attending a course at a college or other institution within the City of London or the Metropolitan Police District, or £1.20 per day if attending a course at a college or other institution elsewhere, may be included in respect of such study if the student has to live away from home or of 70p per day if he has not;

(iv) if the student is reading modern languages in an associated university degree course and, on the recommendation of the university authorities undertakes a course of vacation study in the country (being a country outside the British Isles) whose language is a main language he is studying, and if his living arrangements are approved by the university authorities, a payment of £1.40 per day may be included;

(v) where the student necessarily incurs expenditure in excess of £15 on travel within the United Kingdom for the purpose of attending his college or other institution or in connection with the course during term time or within or outside the United Kingdom for the purpose of attending a course qualifying for payment under (ii), (iii) or (iv) of this sub-paragraph, an amount shall be included to cover the excess expenditure.

(3) Additional grant may be paid as follows at the discretion of the Ministry:—

(*a*) extra travel:—

(i) grant towards expenditure necessarily incurred by a student on travel outside the United Kingdom for the purpose of his course;

(ii) in the case of a student whose home is for the time being outside the British Islands, grant towards expenditure necessarily incurred at the beginning and end of term on travel between his home and the college or other institution of such amount, if any, as the Ministry may consider appropriate;

(*b*) vacation hardship:—

extra grant towards maintenance during vacations in cases of financial hardship of not more than £6.55 per week where no contribution is payable under Paragraph 4:

Provided that extra grant under this sub-paragraph shall be admitted only in respect of weeks of vacation for which no other payment is allowed under any other sub-paragraph and shall not be paid if the number of weeks in respect of which payment is made under this paragraph would thereby exceed 47.

(*c*) dependants' grant:—

(i) where in the opinion of the Ministry hardship would otherwise occur, dependants' grants in respect of the spouse and children or one other adult dependant of a student to whom the provisions of this Schedule apply;

(ii) payments made under this sub-paragraph shall be subject to the conditions relating to dependants' grants set out in paragraph 4 of the Second Schedule.

(4) Where the marriage of a woman student is terminated during the course, the value of the award shall not thereafter be less than it was before the marriage was terminated.

For the purpose of this Schedule and the Second Schedule, a student's marriage shall be regarded 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 ceasing to live together whether or not an order for their separation has been made by any court.

4.—(1) The parental contribution shall be ascertained for any year by reducing the gross income of the parents, computed in accordance with paragraph 6, by the amount of the deductions provided for in paragraph 5 and by applying the balance of income as follows:—

(*a*) where the balance of income is not less than £1,100 and not more than £1,699 the parental contribution shall be £30 with the addition of £1 for every complete £10 by which it exceeds £1,100; and

(b) where the balance of income is not less than £1,700 the parental contribution shall be £100 with the addition of £1 for every complete £10 by which it exceeds £1,700.

(2) Where two or more children of the parent hold scholarships awarded under these Regulations or equivalent scholarships (an equivalent scholarship for the purposes of these Regulations being either a University or Further Education Scholarship awarded by any local education authority or any other scholarship judged by the Ministry to be equivalent) the contribution in respect of each shall be determined by finding the contribution for one of them and dividing it between them, provided that—

(*a*) where there are two students in one family and the balance of income is £1,332 or less no parental contribution shall be required; and

(*b*) where there are three students in one family and the balance of income is £1,573 or less no parental contribution shall be required.

(3) Where a parent is employed abroad, the contribution shall be such as the Ministry may determine.

(4) Where the parents do not ordinarily live together the parental contribution shall be determined by reference to the income of whichever parent the Ministry in the circumstances considers to be more appropriate.

5. To determine the balance of income the following deductions shall be made from gross income:—

(1) in respect of each child dependent on the parents other than the student and any other member of the family holding an equivalent scholarship:

(*a*) an allowance of £200 less the amount of any gross income available to the child in his own right;

(*b*) expenditure incurred on school fees and other educational expenses up to a maximum of £200; and

(*c*) expenditure on university and other further education (including professional training) not covered by other awards up to a maximum of £350.

(2) in respect of each adult dependent on the parents, an allowance equal to the value of the assistance given by the parent but not exceeding £200 less the amount of any other income of the dependant;

(3) mortgage interest on owner-occupied property and all other interest payments which are allowed for income tax purposes or any interest on a mortgage under the Option Mortgage Scheme;

(4) compulsory and voluntary contributions to pension or superannuation funds (excluding national insurance and graduated pensions contributions) and life insurance premiums in respect of which relief is given under the Income Tax Acts up to a maximum of 15 per cent. of gross income;

(5) the amount of any contribution to a dependants' pension scheme being a contribution in respect of which relief is given under the Income Tax Acts;

(6) where the parents are living together and are gainfully employed the cost in wages of domestic assistance not exceeding the emoluments of the parent who earns the less, or £200, whichever is the less;

(7) where the parents are living together and one of them is incapacitated, the cost in wages of domestic assistance not exceeding £200;

(8) where a parent whose marriage has terminated is either gainfully employed, or is incapacitated, the cost in wages of domestic assistance not exceeding £200;

(9) gross payments made under covenant (other than payments covenanted by a parent in favour of the student) subject to a maximum deduction of £200 in respect of each beneficiary;

(10) where the parents live abroad in a place where the cost of living is higher than in the United Kingdom, such sum (if any) as the Ministry may consider reasonable;

(11) in the case of a parent who holds an award in respect of a course of full-time study the amount by which the aggregate of the element for ordinary maintenance included in his award and £100 exceeds the sum payable in respect of that award.

6.—(1) Subject to sub-paragraph 4(4) gross income for the purpose of paragraph 5 shall be the income of both parents from all sources, computed as for income tax purposes where United Kingdom income tax is payable, except that in computing gross income no deduction shall be made which is of a kind for which separate provision is made in this Schedule.

(2) Where trustees of property held in trust for a student pay, by virtue of sub-sections (1) and (2) of Section 32 of the Trustee Act (Northern Ireland) 1958, any income from that property to his parent or otherwise apply it for or towards his maintenance, education or benefit, the amount of income so paid or applied shall be deemed to be included in the gross income of the parent for the purpose of that paragraph.

(3) Any dividends or interest paid or credited to the parent by a building society which has entered into arrangements with the Commissioners of Inland Revenue under Section 445(1) of the Income Tax Act 1952 shall be deemed to have been received by him after deduction of income tax at the reduced rate determined under those arrangements for the year of assessment in which the dividends or interest are paid or credited; and the amount deemed to have been so deducted shall be treated as part of his gross income.

(4) All income arising from an office or employment which by virtue of any enactment is as such exempt from tax shall be treated as part of the gross income for the purpose of paragraph 5.

7.—(1) Subject to the following provisions of this paragraph gross income for the purpose of paragraph 6 shall be that of the fiscal year ending on 5th April immediately preceding the start of the year in respect of which the award is being assessed, hereinafter referred to as the "preceding fiscal year".

(2) Where the Ministry is satisfied that the income of the parents in the next succeeding fiscal year, that is to say the fiscal year commencing on 6th April immediately preceding the start of the year in respect of which the award is being assessed, is likely to be not more than four-fifths of the income of the preceding fiscal year, the income for the next succeeding fiscal year may be taken for the purpose of paragraph 6.

(3) In any case where the income for the next succeeding fiscal year has been taken for the purpose of paragraph 6 the income shall continue to be determined, if the Ministry so decides, by taking for each succeeding year in respect of which the award is being assessed the income for the fiscal year commencing on 6th April immediately preceding the start of that year.

(4) Where in its opinion the student would otherwise suffer severe hardship the Ministry may take into account the gross income of the parents for such period as it considers appropriate for the avoidance of such hardship. In any case where the Ministry has taken into account under the provisions of this sub-paragraph the gross income of the parents for a particular period the income shall continue to be determined by taking for each succeeding year in respect of which the award is being assessed the gross income of the parents for such period as the Ministry considers appropriate.

(5) The deductions allowable from gross income under paragraph 5(1) and (2) shall relate to the academic year in respect of which the award is being assessed.

(6) The deductions allowable from gross income under paragraph 5(3)-(11) shall relate to the preceding fiscal year unless income for the next succeeding fiscal year is being taken into account in determining gross income, in which case they shall relate to the next succeeding fiscal year.

(7) Personal income of the student for the purpose of paragraph 2 shall be income accruing during the academic year in respect of which the award is being assessed.

SECOND SCHEDULE

Mature Students

1. The provisions of this Schedule shall apply in accordance with Paragraph (1) of Regulation 5 in determining the value of scholarships awarded to mature students.

2. For the purpose of this Schedule a mature student is:

(*a*) a student who has supported himself out of his earnings for at least 3 years before 1st September of the year in which the course begins; or

(*b*) a student aged 25 years or over on 31st August of the year in which the course begins; or

(*c*) a woman student who was married and aged 21 on or before 31st August of the year in which the course begins; or

(*d*) a student who has for three years before 31st August of the year in which the course begins been in receipt of a Postgraduate Studentship awarded by the Ministry or of a postgraduate award which in the opinion of the Ministry is comparable to a Postgraduate Studentship.

3.—(1) The value of a scholarship awarded to a mature student for each academic year shall be the maximum allowable amount calculated in accordance with Paragraph 3 of the First Schedule, together with dependants' grant and two-homes grant, if any, calculated in accordance with Paragraphs 4 and 5 of this Schedule, the aggregate being reduced by any personal income of the student in excess of £100 as determined under Paragraph 2 of the First Schedule:

Provided that—

(i) in the case of a mature student, payments made by him in pursuance of obligations reasonably incurred by him before the commencement of the course shall be deducted when computing his personal income;

(ii) in the case of a student who is a woman to whom any payment is due under Paragraph 4(1) and whose marriage has terminated, whether before or during the course, then

(*a*) the amount of personal income to be disregarded shall be £200; or

(*b*) an additional payment of £100 shall be made to her under paragraph 4(1); or

(*c*) in the case of a student to whom paragraph 6 applies, an additional payment shall be made to her under that regulation—

whichever is the most favourable to her;

(iii) in the case of a student who is a woman and whose marriage has terminated the Ministry may also disregard £300 of her income in respect of the first child and £100 in respect of each subsequent child, if this should prove more advantageous to the student than claiming dependants' grants;

(iv) where the marriage of a woman student has terminated during the course, the value of the award shall not be less after the termination of the marriage than it was before the termination.

(2) The standard grant towards term-time and vacation maintenance shall in the case of a mature student who maintains an established home for his dependants, be at the rate otherwise normally applicable to a student living in lodgings.

(3) Where the benefit from an award as calculated under sub-paragraphs (1) and (2) is less than £50 a minimum grant of £50 shall be payable.

4.—(1) The maximum rates of dependants' grant which may be included in the calculation shall be:—

(*a*) For a spouse or other adult dependant or the first dependent child	£250
(*b*) Save as in (*a*) above, for the first dependent child	£105
(*c*) For the second dependent child	£60
(*d*) For the third and subsequent dependent children	£55

For the purposes of this sub-paragraph "child" includes a person adopted in pursuance of adoption proceedings and a stepchild.

(2) The maximum annual rate shall be reduced, pound for pound, by any current income (less income tax, National Insurance contributions and family allowances) of the dependant in respect of whom grant is admitted:

Provided that where the dependant is a wife the first £100 of her income shall be disregarded and any payments made by the student in pursuance of obligations reasonably incurred by him before the commencement of the course shall be deducted for the purpose of computing her personal income to the extent that these payments have not already been deducted from the student's personal income.

(3) Except where in the Ministry's opinion hardship would otherwise occur dependants' grants in respect of the spouse and children of a student shall not be payable unless the student has married before the commencement of the course.

5. A two-homes grant of £90 shall be paid where a student who fulfils the conditions laid down in sub-paragraphs 2(*a*) or 2(*b*) of this Schedule and who is eligible for dependants' grant maintains an established home for his dependants at a place in the United Kingdom other than that at which he resides during his course.

6. Where a mature student has attained the age of 26 years before 31st August of the year in which the course begins and has in each of any three of the six years immediately preceding that year earned a gross income of at least 25 per cent. above the sum of £445 and the maximum payments for which he is eligible under paragraph 4 of this Schedule then the value thus calculated shall be increased, subject to a maximum of £145 for each year of age by which he exceeds 25 at the same 31st August, by £29. Where a course of teacher training follows immediately after completion of another course of study in respect of which a mature student has received an additional payment under a corresponding provision to this paragraph the additional payment shall be continued for the period of the course of teacher training.

7. Personal income of a mature student for the purpose of Paragraph 3 shall be income accruing during the academic year in respect of which the award is being assessed.

EXPLANATORY NOTE

(*This note is not part of the Regulations, but is intended to indicate their general purport.*)

These Regulations set out the arrangements for the award of scholarships to students admitted to recognised colleges of education, to education departments at universities or to other institutions for the training of teachers and provide for increases in the value of such scholarships with effect from 1st September 1972.