

MAINTENANCE GRANTS SCHEME FOR STUDENTS ATTENDING POST LEAVING CERTIFICATE COURSES, 2009

Name of Vocational Education Committee: _____

CLAUSE 1: DEFINITIONS

In this scheme:

"approved course" means a full-time Post Leaving Certificate (PLC) course of at least one year duration approved by the Minister for Education and Science for the purposes of this scheme. (The list of approved PLC courses is available from the Vocational Education Committee);

"candidate" means the person in respect of whom a grant is being sought;

"candidate other than a mature candidate" means every candidate other than a mature candidate who is eligible to be considered under this scheme;

"mature candidate" means a candidate who is at least 23 years of age on the 1st of January of the year of entry to an approved PLC course;

"mature candidate dependent on parents" means a mature candidate who was ordinarily resident with her/his parents from 1 October, 2008;

"independent mature candidate" means a mature candidate who was not ordinarily resident with her/his parents from 1 October, 2008;

"dependent children" means children, including foster children, of a candidate's parents or guardians or children of an independent mature candidate, as the case may require, who, on 1 October 2008 were:

- (i) under 16 years of age, or
- (ii) 16 years of age or over and
 - (a) are attending a full-time course of study at an educational institution and are dependent on their parents, or
 - (b) are medically certified as permanently unfit for work;

"normal residence" means the permanent or ordinary address of the candidate's parents or guardians from 1 October, 2008. In the case of an independent mature candidate, his/her normal residence means the permanent or ordinary address of the independent mature candidate from 1 October 2008.

"reckonable income" means-

- (a) all amounts* received or receivable by an individual without reference to his/her residence or domicile, from both Irish and foreign sources, which are liable to Irish Income Tax, Irish Capital Gains Tax or Irish Capital Acquisitions Tax, or which would be so liable but for exemptions and reliefs contained in Irish legislation, and
- (b) corresponding amounts received or receivable by individuals resident in another E.U. Member State which are liable to Income Tax, Capital Gains Tax, Inheritance or Gift Taxes of that State, or which would be so liable but for exemptions and reliefs contained in the legislation of that State.

*The following Social Welfare and Health Service Executive Payments should be excluded in the calculation of reckonable income:

- Child Benefit;
- Family Income Supplement;
- Disability Allowance (where paid to the candidate);
- Blind Pension (where paid to the candidate);
- One Parent Family Payments (Means Tested);
- Guardian's Payment (Previously known as Orphan's Pensions);
- Back to Education Allowance (Second Level and Third Level Option);
- Foster Care Allowance;
- Domiciliary Care Allowance and
- Carer's Allowance.

[Note: The specific calculations of the amount of reckonable income under the various headings are contained in the application form and the accompanying notes].

"spouse" means each person of a married couple who are living together or a man and woman who are not married to each other but are cohabiting as husband and wife;

"Vocational Education Committee" means the Vocational Education Committee named in the subtitle of this scheme.

CLAUSE 2: AWARD OF GRANTS

2.1 The Vocational Education Committee shall award grants to eligible candidates in accordance with the terms of this scheme. A candidate shall not be eligible to hold a grant under this scheme if s/he holds another award payable from public funds in Ireland or from other EU Member States except where a candidate is in receipt of a VTOS training allowance. Such awards payable from public funds do not include awards to candidates under the Millennium Partnership Fund and the Fund for Students with Disabilities.

CLAUSE 3: PERSONS TO WHOM THIS SCHEME APPLIES

This scheme applies to:

- 3.1** Candidates who are entering approved PLC courses for the first time in the 2009/10 school year;
- 3.2** Candidates are ineligible if they already hold a FETAC Level 5 qualification (formerly known as a FETAC (NCVA) Level 2 qualification), a FETAC Level 6 qualification (formerly known as a FETAC (NCVA) Level 3 qualification) or a third level qualification at Level 6 or higher. However, notwithstanding this condition candidates who already hold a qualification no higher than FETAC Level 5 (formerly known as a FETAC (NCVA) Level 2) and are now pursuing a course that offers progression may be deemed eligible for grant aid.

CLAUSE 4: ELIGIBILITY OF CANDIDATES

To be eligible for a grant under this scheme, a candidate must fulfil the following conditions as to residence, age, means and nationality.

4.1 Residence

- 4.1.1** The candidate's parents/guardians, or, in the case of an independent mature candidate, the candidate herself/himself, must have been ordinarily resident in the administrative area of the Vocational Education Committee from 1 October 2008. **The Vocational Education Committee** shall have discretion to waive this requirement in exceptional circumstances.
- 4.1.2** A candidate shall not be eligible to apply for a grant in the administrative area of more than one Vocational Education Committee.

4.2 Age

A candidate shall be at least 16 years of age on commencement of the course.

4.3 Means

4.3.1 For the award of a grant in 2009/10 school year the reckonable income must conform to the income limits set out in Appendix I. The reckonable income shall be determined by the Vocational Education Committee on the basis of information supplied in the Application Form, in accordance with the requirements of the accompanying Notes booklet. The 2009/10 Application Form and Notes form part of this Scheme.

4.3.2 For the award of a special rate of maintenance grant in respect of the 2009/10 school year, a candidate's reckonable income shall conform to the income limits set out in Appendix III. The reckonable income shall be determined by the Vocational Education Committee on the basis of information supplied in the Application Form.

4.3.3 In the case of a candidate other than an independent mature candidate, the candidate's reckonable income shall be that of the candidate and of the candidate's parents or guardians, except where the candidate's parents are divorced, legally separated or it is established to the satisfaction of the Vocational Education Committee that they are separated, in which case, the candidate's reckonable income shall be that of the candidate and of the parent with whom the candidate resides. [Note: See Section 7 of the notes accompanying the Application Form for criteria applied by the Vocational Education Committee in establishing separation.]

4.3.4 In the case of an independent mature candidate, the reckonable income shall be that of the candidate and her/his spouse, if applicable.

4.3.5 The reckonable income shall be the income for the year ended 31 December, 2008.

4.3.6 For the award of a special rate of maintenance grant a candidate's reckonable income must, as at 31 December 2008, include one of the payments listed in Appendix III.

4.4 Nationality

Candidates must be a national of –

- (i) an EU Member State,
 - (ii) a state which is a contracting state to the EEA Agreement
 - (iii) the Swiss Confederation or
- a refugee or other person entitled for the time being to the rights and privileges specified in section 3 of the Refugee Act 1996; or
 - be a person, pursuant to the European Communities (Eligibility for Protection) Regulations 2006 (S.I. No. 518 of 2006) –
 - (i) who the Minister for Justice, Equality and Law Reform has determined is eligible for the time being for subsidiary protection pursuant to Regulation 4 of those Regulation, or
 - (ii) to whom the Minister for Justice, Equality and Law Reform has granted permission for the time being in writing to enter and reside in the State pursuant to Regulation 16 of those Regulations; or
 - have permission to remain in the State by virtue of marriage to a national of another EU Member State who is residing in the State and who is or has been employed, or self-employed, in the State, or be the child of such a person, not having EU nationality; or
 - have permission to remain in the State by virtue of marriage to an Irish national residing in the State, or be the child of such person, not having EU nationality; or
 - have been granted Humanitarian Leave to Remain in the State (prior to the Immigration Act 1999); or
 - be a person in respect of whom the Minister for Justice, Equality and Law Reform has granted permission to remain following a determination not to make a deportation order under section 3 of the Immigration Act 1999.

CLAUSE 5: VALUE OF GRANTS

- 5.1** The value of grants shall be in accordance with the annual rates specified by the Minister for Education and Science. The rates so specified for the 2009 financial year are set out in Appendix II.

- 5.2** The value of the special rate of maintenance grant shall be in accordance with the annual rates specified by the Minister for Education and Science. The rates so specified for the financial year 2009 are set out in Appendix IV.
- 5.3** Full or part maintenance grants are payable at either adjacent or non-adjacent rates. The Vocational Education Committee shall decide the rate applicable in each particular case, in accordance with paragraphs 5.4 to 5.6 below.
- 5.4** The special rate of maintenance grant shall be payable at either adjacent or non-adjacent rates. The Vocational Education Committee shall decide the rate applicable in each particular case, in accordance with paragraphs 5.4 to 5.6 below.
- 5.5** Except in the case of mature students, the adjacent rate of maintenance grant shall be payable in the case of a grant-holder whose normal residence is 24 kilometres or less from the PLC Centre which s/he is attending.
- 5.6** The non-adjacent rate of maintenance grant shall be payable in all other cases, including the case of all mature candidates who qualify, having been assessed either as a dependent or independent mature candidate.

CLAUSE 6: ACCEPTANCE, TENURE AND CONTINUANCE OF GRANTS

6.1 Acceptance of Grants

- 6.1.1** A successful candidate shall confirm to the Vocational Education Committee the title of the course s/he proposes to follow within such period after notification of the offer of a grant as the Vocational Education Committee may stipulate.
- 6.1.2** Where a candidate is offered a grant but does not pursue an approved course in 2009/10 school year that offer of a grant shall be deemed to have lapsed.

6.2 Tenure of Grants

- 6.2.1** Grants awarded under this scheme shall only be tenable in respect of attendance at courses approved by the Minister for Education and Science.

6.3 Continuance of Grants

- 6.3.1** A grant awarded under this scheme shall be provisional for the 2009/10 school year and shall not be continued in any subsequent school year unless the Vocational Education Committee is satisfied that the provisions of this scheme continue to be complied with fully.
- 6.3.2** A grant is tenable for the normal duration of the approved PLC course and is renewable annually subject to satisfactory participation, attendance and the approval of the Vocational Education Committee.
- 6.3.3** A grant-holder wishing to change her/his course must obtain the prior approval of the Vocational Education Committee in order to ensure compliance with the grant continuance provisions of this scheme.
- 6.3.4** A candidate who fails the year-end examinations and wishes to repeat that year shall not be eligible for a grant in respect of that repeat year. However, if s/he is successful in the repeat year the grant may be awarded for the subsequent year(s) of that course.
- 6.3.5** Grants may not be paid in respect of a second period of attendance at the same level for a course approved for the purposes of this scheme, irrespective of whether or not a grant was paid previously. The Vocational Education Committee will have discretion to waive this provision in exceptional circumstances such as serious certified illness.

CLAUSE 7: CHANGE IN CIRCUMSTANCES

- 7.1** The eligibility of a person to whom this Scheme applies for the award of a grant, or the level of a grant awarded, may be assessed or re-assessed by the Vocational Education Committee in the event of changes in circumstances relating to the following:
- (a) the candidate's reckonable income, within the meaning of Clause 4, which is likely to be permanent (i.e. likely to obtain for the duration of the approved course or for the foreseeable future);
 - (b) the number of dependent children;
 - (c) the number of children
 - (i) in full-time third level education;
 - (ii) attending a recognised PLC course, student nurse training or student Garda training;
 - (iii) participating in a Fáilte Ireland (formerly CERT) course of at least one year's duration;

- (iv) attending a full-time Teagasc course in an Agricultural College.
- (v) attending a recognised full-time further education course, of at least one year's duration, in Northern Ireland;

(d) normal residence;

(e) Nationality, where the candidate becomes an Irish National or the national of another EU Member State.

7.2 The income limits applicable under this Scheme in cases under Clause 7.1(a) or (b) or (c) above shall be those of the scheme of the year in which the change of circumstances occurs.

7.3 Where an adverse change in the reckonable income occurs awards or adjustments in cases assessed under this clause shall normally be made with effect from the month in which the change in circumstances occurs.

7.4. Where a positive change in reckonable income occurs during a school year, any grant awarded shall continue to be paid until the end of that school year. However such grant-holders shall be re-assessed before the grant is renewed for the following school year.

CLAUSE 8: PAYMENT OF GRANT

8.1 The Vocational Education Committee shall pay the grant-holder's maintenance grant in monthly instalments in arrears during the school year. Payment shall be made subject to satisfactory participation and attendance on the PLC course.

CLAUSE 9: APPLICATION FOR GRANTS

9.1 Grant applications must be made on the official application form*, which is available from the Vocational Education Committee. This form, which covers applications for both the ordinary and special rates of maintenance grant, duly completed, must reach the Committee not later than **31st August 2009**. The Committee may, however, accept an application which is not received on time and may, at its own absolute discretion, treat such application as if it had been received on time. *The 2009/10 Application Form and Notes form part of this Scheme.

9.2 A candidate whose application is deemed to be late may have his/her application processed and be awarded a grant from the commencement of the following year of her/his course.

9.3 It shall be a condition for the acceptance of an application under this scheme that, in connection with the processing of the application, the parents/guardians of a candidate or, in the case of an independent mature candidate, the candidate herself/himself and her/his spouse, if applicable, authorise: -

- (i) the Vocational Education Committee and the Department of Education and Science to seek the assistance of, and supply any relevant information and documents to the Revenue Commissioners;
- (ii) the Revenue Commissioners and the Department of Social and Family Affairs to supply any relevant information or documents from their records to the Vocational Education Committee and the Department of Education and Science and to make any enquiries and seek any documents they consider necessary to enable them to assist the Vocational Education Committee and the Department of Education and Science;
- (iii) the Vocational Education Committee to transfer the Application Form to another VEC should that become necessary;
- (iv) the Vocational Education Committee/Department of Education and Science to transfer information from the grant application to a central database which may be accessed by the Revenue Commissioners and the Department of Social and Family Affairs.

CLAUSE 10: DISCLOSURE OF INFORMATION

10.1 Details of the amount of grant payable under this scheme in respect of a grant holder may be made available to other Government Departments/Offices and public service agencies, subject to compliance with the Data Protection Acts, 1988 and 2003. Vocational Education Committees are requested to ensure that VEC Officials, Committee Members and Relevant External Members are aware that any data held by the VEC in relation to students grant applications may not be published and any data held by the VEC in relation to individual students is subject to the terms of the Data Protection Acts 1988 and 2003.

CLAUSE 11: DECLARATION OF INCOME AND OTHER INFORMATION

11.1 A declaration of reckonable income shall be made by the candidate and the candidate's parents or guardians or, in the case of an independent mature candidate, by the candidate and the candidate's spouse, if applicable, and they shall submit to the Vocational Education Committee such information and documentation as may be required by it to process the application in full. It will be the responsibility of applicants to ensure that the statement of income and other details sought is full and complete in every respect. **If an applicant's failure to provide this full and complete information be the result of a deliberate material omission or**

inaccuracy, the applicant(s) will be liable to prosecution, loss of grant and repayment, with interest, of any portion of a grant already received.

CLAUSE 12: DETERMINATION OF DISPUTES

12.1 Where an applicant has been refused a grant under this Scheme by a Vocational Education Committee, he or she may appeal that decision to that Vocational Education Committee. Where, following the exhaustion of this appeal procedure, the applicant is of the view that the Vocational Education Committee has interpreted or construed this Scheme incorrectly, he or she may submit his or her question or dispute as to that interpretation or construction to the Minister for Education and Science, whose determination thereon shall be final.

APPENDIX I

2009 MAINTENANCE GRANTS SCHEME FOR STUDENTS ATTENDING PLC COURSES

Reckonable Income Limits for the ordinary rates of grant*
for the period 1 January 2008 to 31 December, 2008 (the tax year 2008)

Number of Dependent Children	Full Maintenance (100%)	Part Maintenance (75%)	Part Maintenance (50%)	Part Maintenance (25%)
Less than 4	€41,110	€42,235	€44,720	€47,205
4 – 7	€45,165	€46,415	€49,145	€51,880
8 or more	€49,045	€50,400	€53,360	€56,320

* In the 2009/10 school year where 2 or more children (or the candidate's parent) are pursuing a course of study listed below the reckonable income limits for Full Maintenance (100%) may be increased by €4,980 where there are 2 such children, €9,960 where there are 3 such children and so on, by increments of €4,980.

For the Part Maintenance at 75%, 50% and 25%, the reckonable income limits may be increased by €4,815 where there are 2 such children, €9,630 where there are 3 such children and so on, by increments of €4,815.

- (i) attending full-time third level education;
- (ii) attending a recognised PLC course, student nurse training or student Garda training;
- (iii) participating in a Fáilte Ireland (formerly CERT) course of at least one years duration;
- (iv) attending a full time Teagasc course in an Agricultural College;
- (v) attending a recognised full-time further education course, of at least one year's duration, in Northern Ireland.

APPENDIX II

2009 MAINTENANCE GRANTS SCHEME FOR STUDENTS ATTENDING PLC COURSES

Maintenance Grants Rates

	Non-Adjacent Rate	Adjacent Rate
Full Maintenance	€3,420	€1,370
Part Maintenance (75%)	€2,565	€1,030
Part Maintenance (50%)	€1,710	€685
Part Maintenance (25%)	€855	€345

APPENDIX III

SPECIAL RATE OF MAINTENANCE GRANT

For the award of a special rate of maintenance grant in respect of the 2009/10 school year, a candidates reckonable income (for the period 1 January 2008 - 31 December 2008, the tax year 2008) shall not exceed: -

- **€22,308**
- net of standard exclusions (as set out in Clause 1 of this Scheme)
- and
- net of Child Dependant Increase (C.D.I.) paid by the Department of Social and Family Affairs

As at 31 December 2008, this reckonable income must include one of the social welfare payments listed below.

LIST OF ELIGIBLE PAYMENTS

1. SOCIAL ASSISTANCE PAYMENTS

New Name	Old Name
Blind Person's Pension	
Carer's Allowance	
One Parent Family Payment	Deserted Wife's Allowance Lone Parent's Allowance Prisoner Wife's Allowance
Disability Allowance	
Farm Assist	
Jobseeker's Allowance (where held for 391 days or more)	Unemployment Assistance
State Pension (Non-Contributory)	Old Age (Non-Contributory) Pension
Guardian's Payment (Non-Contributory)	Orphans (Non-Contributory) Pension
Pre-retirement allowance	
Widow's/Widower's (Non-Contributory) Pension	

APPENDIX III (continued)

2. SOCIAL INSURANCE PAYMENTS

New Name	Old Name
Carer's Benefit	
One Parent Family Payment	Deserted Wife's Benefit
Invalidity pension	
Incapacity Supplement	Unemployability Supplement
Occupational Injuries Death Benefit (Orphan's Pension)	
Occupational Injuries Death Benefit (pension for a widow or widower)	
State Pension (Contributory)	Old Age Contributory Pension
Guardian's Payment (Contributory)	Orphan's (Contributory) Allowance
Jobseeker's Benefit (continuous for at least 12 months)	Unemployment Benefit
Widow's/Widower's (Contributory) Pension	
State Pension (Transition)	Retirement Pension

3. FAMILY INCOME SUPPLEMENT (FIS)

4. DESIGNATED PROGRAMMES

Back to Education Allowance (Second Level and Third Level Option)

Back to Work Allowance (Employees)

Back to Work Enterprise Allowance

Community Employment Scheme

Rural Social Scheme

FÁS Training Programmes, including Apprenticeships

Part Time Job Incentive Scheme

Vocational Training Opportunities Scheme (VTOS)

5. OTHERS

In receipt of payments under the Fáilte Ireland Skills Programme equivalent to a social welfare payment;

In receipt of payments under the FIT (Fastrack to IT) initiative equivalent to a social welfare payment;

Participants on a training course approved by a Government Department, State Agency or Area Partnership and who were in receipt of an eligible payment prior to progressing to the programme;

Grant aided employees in social economy enterprises;

In receipt of payments under the Senior Traveller Training Centre programmes.

APPENDIX IV

SPECIAL RATE OF MAINTENANCE GRANT FOR 2009/10

Grant	Standard Grant	Special Rate Amount	Total Grant
Non-Adjacent Rate	€3,420	€3,270	€6,690
Adjacent Rate	€1,370	€1,310	€2,680

EU / EEA COUNTRIES

	<u>EU Country</u>	<u>EEA Country</u>
Austria	√	√
Belgium	√	√
Bulgaria	√	√
Cyprus	√	√
Czech Republic	√	√
Denmark	√	√
Estonia	√	√
Finland	√	√
France	√	√
Germany	√	√
Greece	√	√
Hungary	√	√
Iceland	X	√
Ireland	√	√
Italy	√	√
Latvia	√	√
Liechtenstein	X	√
Lithuania	√	√
Luxembourg	√	√
Malta	√	√
Netherlands	√	√
Norway	X	√
Poland	√	√
Portugal	√	√
Romania	√	√
Slovakia	√	√
Slovenia	√	√
Spain	√	√
Sweden	√	√
United Kingdom	√	√