



**TITLE: FEES AND REFUNDS POLICY**

<b>Effective Date</b>	26 August 2020	<b>Version</b>	5
			Policy revised to update the following sections of the Policy: 4.3, 4.4, 4.5 and 5.1.
<b>Approved By</b>	Academic Council	<b>Date Approved</b>	26 August 2020
		<b>Review Date</b>	26 August 2023 <i>or as required</i>
<b>Superseded or Obsolete Policy / Procedure(s)</b>		<b>Owner</b>	
4 – <i>Fees and Refunds Policy</i> (12 December 2018)		Director of Operations	
Policy amended on page six to reflect procedural changes regarding learners paying / not paying their fees (late).			
3 – <i>Fees and Refunds Policy</i> (21 November 2018)			
Policy amended on page five to reflect the policy of withholding examination results for unpaid fees, including academic fines.			
2 – <i>Fees and Refunds Policy</i> (7 February 2018)			
Policy reviewed to align with principles outlined in legislation, amalgamate guidelines and procedures related to fees and the provision of refunds and alignment with CCSP <i>Policy on Policies</i> .			
1 – Unknown Publication Date ( <i>Learner Admission Handbook</i> )			
Initial Issue			

## **1. Purpose of the Policy**

Carlow College, St. Patrick's (hereafter Carlow College) is committed to ensuring that the processing / collection of, and refunding of, fees are carried out in an equitable and transparent way. Moreover, this Policy will ensure that every learner studying at Carlow College has up-to-date information on all programme fees and the conditions under which a refund will be granted. This Policy supersedes the Fees and Grants section of the *Admissions Handbook* (2012).

## **2. Definitions**

*Accession State*: a country that is in the process of applying for membership to the European Union.

*European Union (EU)*: a person who holds a passport or citizenship in one of the twenty-eight member countries and has been a resident (or, if under the age of twenty-three, their parent has been a resident) taxpayer for three of the five years prior to commencing their educational programme.

*European Economic Area (EEA)*: a person who holds a passport or citizenship in a country within the European Economic Area and has been a resident (or, if under the age of twenty-three, their parent has been a resident) taxpayer for three of the five years prior to commencing their educational programme.

*Free Fees Initiative*: fees paid for qualifying learners by the Department of Education and Skills for full-time Level 7 and 8 programmes.

*Non-EEA*: a person whose nationality is from outside of the European Union, European Economic Area or Switzerland.

*Registration*: The act of formal entry of learners to designated courses at Carlow College.

*Resident*: residing in a county for a minimum of 183 days in any one calendar year for a minimum of three years.

*Student Contribution Fee*: Carlow College charge an annual learner contribution, formerly called the learner services charge. It is also known as a registration fee and it covers learner services and examinations.

*Swiss Confederation*: a person who holds a passport or citizenship from Switzerland and has been a resident (or, if under the age of twenty-three, their parent has been a resident) taxpayer for three of the five years prior to commencing their educational programme.

*Taxpayer*: principal residence for taxation purposes.

## **3. Scope of Policy**

This Policy applies to every learner applying and / or registered at Carlow College. It further applies to all functions within the College that are tasked with processing / collecting and / or refunding learner fees (see Appendix 2: *Carlow College Tuition Schedule*).

## **4. Policy Statement (Pertaining to Tuition Fees)**

### *4.1 Classification for Learner Tuition Fees*

For the purposes of processing fees, applicants / learners generally fall into two categories for learners, EU and Non-EU fees.

#### 4.1.1 Tuition Fees (EU Fees Status)

Tuition fees will be paid by the Higher Education Authority (HEA) for Irish / EU nationals entering third level for the first time and who have been ordinarily resident in the EU for at least 3 of the 5 years preceding entry to third level unless they fall into one of the following categories:

- a. Learners repeating a semester / year
- b. Learners pursuing a second undergraduate course

The HEA stipulates that learners who already hold a Level 6 or a Level 7 qualification and are progressing to a Level 8 course in a different general area of study will not be deemed eligible for free (tuition) fees.

The detailed eligibility criteria for Free (Tuition) Fees is set out in the Appendix 1.1.

All applicants / learners registered on the Masters in Therapeutic Child Care Programme pay Tuition fees.

#### 4.1.2 Tuition Fees (Non-EU Fee Status)

Applicants / learners who do not meet the above stated eligibility requirements will be classified as Non-EU and be accordingly liable for Non-EU fees.<sup>1</sup> It is important to note that applicants / learners who fall into this category are not able to change their status for fee purposes.

#### 4.1.3 Proof of Residency

All applicants, regardless of nationality, are required to prove that they are a resident in Ireland or an EU member state for three of the five years prior to entry to Carlow College. The following are acceptable forms of proof of residency:

- A P21 Tax Certificate from the Irish Revenue Commission, or equivalent from an EU member state. Any document not presented in English should be accompanied by a certified English translation.
- A Self-Assessment Certificate from the Irish Revenue Commissioners, or equivalent from an EU member state, for self-employed individuals. Any document not presented in English should be accompanied by a certified English translation.
- A letter from the Department of Social Protection confirming receipt of social welfare payments for specific periods, or equivalent from an EU member state. Any document not presented in English should be accompanied by a certified English translation.
- A letter from a post-primary school principal certifying that the applicant has undertaken all their post-primary education in the school, or equivalent from an EU member state. Any document not presented in English should be accompanied by a certified English translation.<sup>2</sup>

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<sup>1</sup> Non-EEA applicants / learners should read this Policy in conjunction with the: *New Immigration Regime for Full Time Non-EEA Students* (Dublin: Irish Naturalisation and Immigration Service, 2011) and the *Admission Guidelines and Procedures for Non-EEA Degree Programme Applicants* (Carlow: Carlow College, St. Patrick's, 2017).

<sup>2</sup> If an applicant does not meet the normal residency requirements, they must provide a letter from a primary and / or secondary school principal certifying that the applicant had completed more than five years of their primary and / or secondary education in the EU/EEA/Swiss Confederation.

Applicants applying to Carlow College from an accession state will pay Non-EU fees until the state has officially joined the EU. Once the state has officially joined the EU, the fees for the following academic year will be re-assessed.

#### *4.2 Criteria for Determining Eligibility as Part of the Free Fees Initiative*

Carlow College conforms to the eligibility requirements mandated by the Higher Education Authority. As such, the following criteria for determining eligibility were originally published by the Higher Education Authority.<sup>3</sup> Tuition fees may be paid in respect of the full-time learners listed below who have been ordinarily resident in an EU / EEA / Swiss Confederation for at least three of the five years preceding their entry to their third-level course and who meet the criteria of the scheme. Eligibility under the scheme is determined at date of entry to the course. Please see Appendix 1 to review the criteria of the Free Fees Initiative.

The scheme is subject to the following conditions:

1. Tuition fees will be paid in respect only of students attending full-time undergraduate courses;
2. The courses must, other than exceptionally, be of a minimum of two years' duration;
3. Tuition fees will not be paid in respect of:
  - a. students pursuing a second undergraduate course;
  - b. students who already hold a postgraduate qualification.
4. Notwithstanding this condition and subject to compliance with the other conditions of the Free Fees initiative, learners who already hold a Level 6 qualification (Higher Certificate or National Certificate) or a Level 7 qualification (Ordinary Bachelor Degree or National Diploma) and are progressing to a Level 8 (Honours Bachelor Degree) course without necessarily having received an exemption from the normal duration of the course may be deemed eligible for free fees;
5. Tuition fees will also not be paid in respect of learners undertaking a repeat year of study at the same year level. In this regard, this condition may be waived where evidence of exceptional circumstances, such as cases of certified serious illness, is provided;
6. Subject to compliance with the other conditions of the Free Fees initiative, learners who have previously pursued but have not completed a course of third level study and subsequently resume third level studies:
  - a. may be deemed eligible for free fees where the third level course concerned did not attract any exchequer funding (e.g. fees, maintenance, tax relief, subsidy towards course cost);
  - b. are not eligible for free fees for the equivalent period of time spent on the first course of study where the third level course concerned did attract exchequer funding (as above). Part-time and evening students are included in this category.

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<sup>3</sup> Information related to the Free Fees Initiative were originally published by the Higher Education Authority, 'Course Fees: Free Fees Initiative' (<http://www.studentfinance.ie/mp9377/course-fees/index.html>) [accessed 7 April 2017].

7. Tuition fees will be paid in respect of eligible learners who, having attended but not completed approved courses, are returning following a break of at least five years in order to pursue approved courses at the same level;
8. The tuition fees payable, does not include the payment to be made by learners towards the cost of registration, examination and student services.
9. From 2013/2014, a ‘Change of Nationality’ clause was adopted that stated learners who do not meet the nationality criteria of the schemes, will continue to be ineligible for free fees, however, if such learners subsequently acquire EEA citizenship during their third level studies, they may be entitled to free tuition fees for the remainder of their course of study as follows:
  - a. Learners who acquire EEA citizenship up to 31 January in an academic year may be entitled to free tuition fees from the second half of the academic year;
  - b. Learners who acquire EEA citizenship from 1 February may be entitled to free tuition fees from the commencement of the next academic year.

#### 4.3 Internal procedures relating to Tuition Fees

Programme fees include tuition and examination fees but do not include registration fees, late registration fees, supplemental examination fees or late payment fees.<sup>4</sup>

Under the Government of Ireland ‘Free Fees Initiative’, tuition fees are drawn down bi-annually by Carlow College in November and March of the relevant academic year. Failure on behalf of the learner to officially inform the College of his / her withdrawal may result in a loss of eligibility for financial support should the learner return to third level education (either at Carlow College or another Institution) in the future.

The following deadlines should be noted:

<i>Official Withdrawal Date:</i>	<i>Loss of Eligibility for ‘Free Fees’:</i>
Before 31 October	No loss of ‘Free Fees’ eligibility for relevant programme stage
31 October – 31 January	Loss of 50% of ‘Free Fees’ eligibility for relevant programme stage
After 31 January	Loss of 100% of ‘Free Fees’ eligibility for relevant programme stage

A learner who withdraws from a programme should complete the *Withdrawal from Academic Programme of Study Form* by the ‘Official Withdrawal Date’ provided above. For more on the guidelines and procedures related to withdrawing from an academic programme of study, please consult the *Guidelines and Procedures for Withdrawal from Academic Programmes of Study*.

#### 4.4. Payment of Tuition Fees

Where a learner is liable for tuition fees, arrangements can be made, through the Admissions Office and / or Finance Office, to facilitate payment in instalments. However, tuition fees must

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<sup>4</sup> See Appendix 2 for a complete tuition schedule at Carlow College.

be paid in full for Semester 1 by February and for Semester 2 by 1 May in the relevant academic year. The following methods of payment are accepted: cash, postal order, bank draft, online payment, or standing order. Personal or third-party cheques are not accepted.

**Carlow College reserves the right to withhold examination / assessment results if full payment of tuition fees is not received by the 1 May in any given academic year.**

#### *4.5 Refund of Tuition Fees*

Where an application by a registered learner to withdraw from a Programme is approved by the Registrar / Admissions Office, the Accounts Office will reimburse the appropriate tuition fee to the learner subject to the following scale.

<b>Official Date of Withdrawal</b>	<b>Amount of Learner Tuition Forfeited</b>
Before 31 October	€250 basic administrative charge
1 November – 31 December	€500
Up to 31 January	€1500
After 31 January	Full Learner Tuition Fee

### **5. Policy Statement (Pertaining to Learner Contribution Fee)**

The learner contribution for all learners registering at Carlow College is €3,000.

#### *5.1 Payment*

Learners must pay €1,500 on or before the day of registration at the College and the remaining €1,500 must be paid in full on or before the 1 February (of any given academic year).[1] No learner will be registered or receive a student card unless at least €1,500 is paid on or before the day of registration at the College. Full payment of the student contribution fee must be made by the 1 February of the given academic year.

Carlow College has a policy of withholding examination results from students who have not paid their fees (including Library fines). Should a student with fees outstanding fail any modules in their examinations he or she will be informed of that failure so that he or she has an opportunity to sit the repeat examinations. Repeat fees must be paid prior to sitting repeat examinations. Students will not be allowed to progress to the next stage of their degree or to receive an award until all outstanding fees have been paid.

#### **The following payment options are available:**

- **Online Payment** – Visa / Visa Debit cards. The fee may be paid in full. There are part payment options available throughout the year also.
- Chip & Pin terminal at Reception Desk at Carlow College
- Postal Order
- Bank Draft
- Credit Union Cheques
- By EFT or Credit Transfer (Bank Giro)

## 5.2 Grants

If a learner has secured grant approval for your registration fee the learner must give the approval letter to the Admissions Office, on or before the official day of registration. Carlow College will invoice SUSI / Local Authority for registration fees.

If a learner has not received approval and are awaiting confirmation, Carlow College will register the learner. To complete the registration process, *all learners are required to agree to the terms and conditions of registration.*

By registering, the student undertakes that all fees and charges due to Carlow College, St. Patrick's will be paid by them personally or on their behalf by an approved authority. Students may not progress to re-registration for a subsequent year or to graduation while there remains an outstanding balance on their fees or registration account.

Carlow College will demand a payment on the 1 March (of any given academic year) if a grant is still pending. If a learner is successful getting a grant thereafter Carlow College will reimburse payment on receipt of funds from the Authority.

As soon as a learner secures grant approval they must give the letter to the Admissions Office.

## 5.3 Refund of the Learner Contribution Fee

If a learner withdraws or defers they must notify the Admissions Office and Grants Office immediately. They must also notify any grant awarding body if they hold a grant for that academic year.

Where an application by a registered learner to withdraw from a Programme is approved by the Registrar / Admissions Office, the Accounts Office will reimburse the appropriate registration fee to the learner subject to the following scale.

<b>Official Date of Withdrawal</b>	<b>Amount of Learner Contribution Forfeited</b>
Before 31 October	€250 basic administrative charge
1 November – 31 December	€500
Up to 31 January	€1500
After 31 January	Full Learner Contribution Fee

If a learner defers, and they have received a grant, they must notify the awarding body immediately (see above). If the learner has paid the registration fee the student may opt to either: be reimbursed fully and pay the registration fee in full when they return the following year or leave the money on hold in their Carlow College account and use it to cover the registration fee the following year. If there is any increase in the registration fee from the year of deferral to the year of resuming study the student will be liable however.

## 6. Roles and Responsibilities

The Admissions Office has the responsibility of overseeing the registration of learners, to create learner records and liaise with the Grant Office and the Accounts Office in terms of learner fees paid, due and outstanding.

The role of the Grants Office is to liaise with Grant Authorities, ensure that all correspondence is dealt with to facilitate processing and payments of student grants.

The role of the Accounts Office is to oversee all finance in relation to learner fees.

The role of the Director of Operations is to supervise all activities and procedures contained in this document.

## **7. Associated Documentation**

- Appendix 1: Criteria of the Free Fees Initiative
  - Appendix 1.1: Eligibility of Refugees Under the Free Fees Initiative
  - Appendix 1.2: Eligibility of Family Members of Official Refugees Under the Free Fees Initiative
  - Appendix 1.3: Persons who have permission to remain in the State as a family member of a Union citizen under the provisions of the EC (Free Movement of Persons) regulations 2006 and 2008 and Directive 2004/38/EC of the European Parliament and of the council.
  - Appendix 1.4: Persons who have been granted Humanitarian Leave to Remain in the State (prior to the Immigration Act 1999); or persons in respect of whom the Minister for Justice 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
  - Appendix 1.5: Persons Granted Subsidiary Protection with Permission to Reside in the State
- Appendix 2: Carlow College Tuition Schedule

## **8. Referenced Policies**

- *Learner Admission, Progression and Recognition Policy*
- Admission Guidelines and Procedures for New Entrants
- Admission Guidelines and Procedures for Non-EEA Degree Programme Applicants

## **9. Monitoring and Review**

The Admissions Office, in conjunction with the Direction of Operations, will be responsible for reviewing the Fees and Refunds Policy. This Policy will be monitored on an annual basis to ensure it aligns with Government policy. This Policy will formally be reviewed every three years.



## Appendix 1: Criteria of the Free Fees Initiative

Carlow College conforms to the eligibility requirements mandated by the Higher Education Authority. As such, this appendix was originally published by the Higher Education Authority.<sup>5</sup> To meet the nationality criteria of the Free Fees Initiative students must meet one of the following:

1. Learners must be a national of
  - a. an EU Member State,
  - b. a state which is a contracting state to the EEA Agreement,
  - c. the Swiss Confederation, or
2. Persons who have official refugee status in this State. Time spent from date of official lodgement of application papers for refugee status will be included for the purpose of meeting the three-year residency requirement (see Appendix 1.1); or
3. Family members of a refugee who are granted permission by the Minister for Justice and Law Reform to enter and reside in the State under Section 18 of the *Refugee Act 1996* (see Appendix 1.2);
4. Persons who have permission to remain in the State as a family member of a Union citizen under the provisions of the European Communities (Free Movement of Persons) Regulations 2006 and 2008 and Directive 2004/38/EC of the European Parliament and of the Council (see Appendix 1.3); or
5. Persons who have been granted Humanitarian Leave to Remain in the State (prior to the *Immigration Act 1999*); or
6. be a person in respect of whom the Minister for Justice 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* (see Appendix 1.4).

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<sup>5</sup> Information related to the Free Fees Initiative were originally published by the Higher Education Authority, 'Course Fees: Free Fees Initiative' (<http://www.studentfinance.ie/mp9377/course-fees/index.html>) [accessed 7 April 2017].

## Appendix 1.1: Eligibility of Refugees Under the Free Fees Initiative

Carlow College conforms to the eligibility requirements mandated by the Higher Education Authority. As such, this sub-appendix was originally published by the Higher Education Authority.<sup>6</sup>

1. Since the coming into force in November 2000 of section 3 of the Refugee Act 1996 (as amended), refugees [sometimes referred to as Convention refugees, to distinguish them from Programme refugees – see 3(b) below] must, for purpose of the free fees initiative, be treated on the same basis as Irish citizens. **This means that a refugee is entitled to be allowed meet the terms of the residency clause in the same manner as an Irish citizen i.e. s/he must have been ordinarily resident in an EU Member State for at least three of the five years preceding his/her entry to the third-level course.**
2. The following points should be noted:
  - a. the institution must satisfy itself that the applicant is a refugee for purpose of section 3 of the Refugee Act, 1996 (as amended). The applicant should have received a statement in writing (in the Act referred to as a “declaration”) by the Minister for Justice and Law Reform, declaring that s/he is a refugee under Section 17 of the Act. **Documentation such as e.g. possession of a ‘green book’ or other temporary residence certificate, does not establish the status of a person as a declared refugee and should not be accepted as evidence of a person’s status as a refugee.**
  - b. **Programme refugees:** These are persons who are invited to Ireland by the Government usually in response to a humanitarian crisis and at the request of the UNHCR. In general, they have the same rights as Convention refugees and are **therefore entitled to benefit under the free fees initiative on the same basis as an Irish citizen.** The Office for the Promotion of Migrant Integration, under the aegis of the Department of Justice and Law Reform, will provide, on request, a Programme refugee with a letter confirming his/her status.
  - c. With regard to the residency requirement in the free fees initiative, this has two aspects, namely:
    - i. a residency requirement and
    - ii. a nationality/citizenship requirement.

The two requirements are separate criteria and the time it takes to acquire citizenship/refugee status may be included as part of the residency time period. For example, periods of residency as an applicant for asylum or as a declared refugee prior to the acquisition of citizenship and entry into third level may be taken into account.

**Extract from Section 17(1) of the Refugee Act, 1996 (as amended) reads as follows:**

“...the Minister-

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<sup>6</sup> Information related to the Free Fees Initiative were originally published by the Higher Education Authority, ‘Course Fees: Free Fees Initiative’ (<http://www.studentfinance.ie/mp9377/course-fees/index.html>) [accessed 7 April 2017].

(a) shall...give to the applicant a statement in writing (in this Act referred to as “a declaration”) declaring that the applicant is a refugee...”

**Extract from Section 3 (2)(a) of the Refugee Act, 1996 (as amended), reads as follows:**

3 (2)(a)... “a refugee in relation to whom a declaration is in force-

(i) shall be entitled to seek and enter employment, to carry on any business, trade or profession and to have access to education and training in the State in like manner and to the like extent in all respects as an Irish citizen”

**Extract from Section 24 of the Refugee Act, 1996 (as amended) reads as follows:**

24.(i) “...a ‘programme refugee’ means a person to whom leave to enter and remain in the State for temporary protection or resettlement as part of a group of persons has been given by the Government... whether or not such person is a refugee within the meaning of the definition of “refugee” in section 2”

24.(ii) “a programme refugee shall, during such period as he or she is entitled to remain in the State...be entitled to the rights and privileges specified in section 3 [of the Act, see above].

## **Appendix 1.2: Eligibility of Family Members of Official Refugees Under the Free Fees Initiative**

Carlow College conforms to the eligibility requirements mandated by the Higher Education Authority. As such, this sub-appendix was originally published by the Higher Education Authority.<sup>7</sup>

The position is that where the Minister for Justice and Law Reform confirms that a person is a family member, or dependent family member, of a refugee and is allowed to remain in the State under Section 18 of the *Refugee Act 1996*, such family members may be entitled to free fees once they meet the other criteria of the Free Fees Initiative - as long as the principal refugee is allowed to remain in the State.

Such family members, who have been given permission to enter the State, must present themselves to a Garda Registration Office within 90 days of arriving in the State at which time they will be issued with a GNIB (Garda National Immigration Bureau) registration card.

Each institution should have sight of the following original documentation in order to determine eligibility for free fees for such family members of refugees: original letter from Minister for Justice and Law Reform which confirms family member status under Section 18 of *Refugee Act 1996*, and GNIB registration card,

Residency, for the purposes of the free fees initiative, commences from the date on the GNIB registration card (date of issue).

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<sup>7</sup> Information related to the Free Fees Initiative were originally published by the Higher Education Authority, 'Course Fees: Free Fees Initiative' (<http://www.studentfinance.ie/mp9377/course-fees/index.html>) [accessed 7 April 2017].

**Appendix 1.3: Persons who have permission to remain in the State as a family member of a Union citizen under the provisions of the EC (Free Movement of Persons) regulations 2006 and 2008 and Directive 2004/38/EC of the European Parliament and of the council.**

Carlow College conforms to the eligibility requirements mandated by the Higher Education Authority. As such, this sub-appendix was originally published by the Higher Education Authority.<sup>8</sup>

SI 226/2006, as amended by SI 656/2006 and SI 310/2008, gives effect to Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States.

The Regulations apply to:

1. Union citizens,
  - a. qualifying family members of Union citizens, who are not themselves Union citizens, and
  - b. who seek to enter the State in the company of those Union citizens in respect of whom they are family members or
  - c. who seek to join those Union citizens, in respect of whom they are family members, who are lawfully in the State, and
2. permitted family members of Union citizens-
  - a. who seek to enter the State in the company of those Union citizens in respect of whom they are family members, or
  - b. who seek to join those Union citizens, in respect of whom they are family members, who are lawfully present in the State.

Therefore, both ‘qualifying’ and ‘permitted’ family members of EU migrants who have been granted permission by the Department of Justice and Law Reform to reside in the State are entitled to be considered under the Free Fees Initiative once they meet all other criteria of the scheme (apart from Nationality), at date of entry of their course of study as is the case with all other students, which means that such students must meet the residency requirement of the scheme prior to admission to their course of study.

Where such family members are given permission to reside in the State by the Department of Justice and Law Reform, they would be notified to report to their local immigration officer to have their passport endorsed and will be issued with a residence card bearing the title 4EUFam (i.e wording denotes the person is a family member of an EU citizen).

Therefore, institutions should seek sight of the family members’ letter from Department of Justice and Law Reform confirming immigration status, passport and of their Garda National Immigration Bureau (GNIB) Certificate of Residence card, bearing the title 4EUFam. It should

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<sup>8</sup> Information related to the Free Fees Initiative were originally published by the Higher Education Authority, ‘Course Fees: Free Fees Initiative’ (<http://www.studentfinance.ie/mp9377/course-fees/index.html>) [accessed 7 April 2017].

be noted that a 'stamp 4' is not sufficient for a student to qualify for free tuition fees. The card must bear the title 4EUFam.

**Appendix 1.4: Persons who have been granted Humanitarian Leave to Remain in the State (prior to the *Immigration Act 1999*); or persons in respect of whom the Minister for Justice 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***

Carlow College conforms to the eligibility requirements mandated by the Higher Education Authority. As such, this sub-appendix was originally published by the Higher Education Authority.<sup>9</sup>

Where a person was granted humanitarian leave to remain in the State prior to the *Immigration Act 1999* such persons may be considered for free tuition fees once they meet all other criteria of the scheme.

Upon enactment of the *Immigration Act 1999* persons were no longer granted humanitarian leave to remain in the State but may instead be granted permission to remain following a determining by the Minister for Justice and Law Reform not to make a deportation order under section 3 of said Act. Persons with such permission to reside in the State may be considered for free tuition fees once they meet all other criteria of the scheme.

Institutions must have sight of:

1. original letter from the Department of Justice and Law Reform which should either state that (a) that the person has humanitarian leave to remain in the State (if granted prior to *Immigration Act 1999* or (b) that they have been granted permission to remain following a determination not to make a deportation order under section 3 of the *Immigration Act 1999*;
2. passport;
3. Garda National Immigration Bureau (GNIB) Certificate of Residence card.

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<sup>9</sup> Information related to the Free Fees Initiative were originally published by the Higher Education Authority, 'Course Fees: Free Fees Initiative' (<http://www.studentfinance.ie/mp9377/course-fees/index.html>) [accessed 7 April 2017].

## **Appendix 1.5: Persons Granted Subsidiary Protection with Permission to Reside in the State**

Carlow College conforms to the eligibility requirements mandated by the Higher Education Authority. As such, this sub-appendix was originally published by the Higher Education Authority.<sup>10</sup>

The European Communities (Eligibility for Protection) Regulations 2006 (S.I. No. 518 of 2006) provides for the Minister for Justice, Equality and Law Reform to grant subsidiary protection to certain persons. Such persons are then granted permission to reside in the State – Regulation 4(4). A person in respect of whom a determination under Regulation 4(4) has been made may apply to the Minister for permission to be granted to a member of his or her family to enter and to reside in the State and if the Minister is satisfied that the person who is the subject of the application is a member of the family, or a dependent family member, of the applicant, the Minister may grant permission in writing to the person to enter and reside in the State also – Regulation 16(3)(a) and 16(4)(a).

Persons who have been granted a declaration to reside in the State to whom Regulation 4(4) or 16(3)(a) or 16(4)(a) applies are entitled to have access to education and training in the State in the like manner and to the like extent in all respects as an Irish citizen. Therefore, any person who has permission to reside in the State by virtue of these regulations should be deemed as having met the nationality clause for free fees purposes. As is the case with Irish/EU/EEA/Swiss nationals/Official Refugees such persons with permission to reside in the state must meet the other criteria of the free fees schemes.

Each institution should have sight of the original written documentation from the Minister for Justice, Equality and Law Reform granting the person permission to reside in the State under Regulation 4(4) or 16(3)(a) or 16(4)(a) of S.I. No. 518 of 2006.

In relation to the residency requirement of the schemes it should be noted that it is the date of the declaration issuing in respect of subsidiary protection that is the operable date for residency purposes.

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<sup>10</sup> Information related to the Free Fees Initiative were originally published by the Higher Education Authority, 'Course Fees: Free Fees Initiative' (<http://www.studentfinance.ie/mp9377/course-fees/index.html>) [accessed 7 April 2017].



## Appendix 2: Carlow College Tuition Schedule

<b>Current Fees Applicable</b>	<b>Programme</b>
€4,900	Masters (Leadership in Therapeutic Child & Social Care)
€3,000 (Learner Contribution Fee)	All undergraduate programmes
€4,392 EU Fees (if not covered under free fees initiative)	BA & BA Honours in Arts & Humanities & BA (Honours) in English & History
€4,642 EU Fees (if not covered under free fees initiative)	BA & BA (Honours) in Applied Social Studies (Professional Social Care) & BA (Honours) in Social, Political & Community Studies
€9,750	Non-EU fees