

# **Working group on Portability of grants and Loans**

**Progress report  
BFUG9 12&13 October 2006  
Aldrik in 't Hout**

# Portability of grants & loans

- Reason for the working group
- What did we do?
- What did we find out?
- Where are we going?
- What do we want from BFUG?

# Portability of grants & loans

- Reason for the working group
  - Berlin & Bergen Communiqués
  - Ministers committed themselves to
  - Facilitate portability of grants and loans in order to make mobility of students a reality
  - Joint action might be necessary

# Portability of grants & loans

- Working group installed in Vienna
- To look closer into this matter and identify possible joint actions
- Broad range of countries and organisations involved:

Austria, Denmark, England, Finland, Germany, Ireland, Croatia, Lithuania, Norway, Romania, Scotland, Sweden, Switzerland, The Netherlands, The EU-Commission & ESIB

Albania and French speaking Belgium are monitoring

# Portability of grants & loans

- What did we do?

Three meetings:

The Hague (june 2006)

Glasgow (september 2006)

Berlin (january 2007)

# Portability of grants & loans

- The Hague:

Three phases:

1. Collecting information
2. Processing
3. Finalising

# Portability of grants & loans

- Collecting information in three sub groups
  - Role of EU-law
  - Description of systems
  - Current (good) practice

# Portability of grants & loans

- Glasgow:

Sharing findings and discussing them

- Processing (now in progress)
- Raw material worth sharing at this moment

## **EU-law: relatively neutral towards portability**

- No direct obstacles in EU law for implementation of portability
- No direct facilitation from EU law, but 'work in progress'
- > Morgan & Bucher: portability must be provided to ensure free movement of students within the EU?
- Either way, the work of the working group is useful



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- **EU-law:**

- Some incoming students entitled to support from the host country (mainly migrant workers and family)
- But residency requirements are effective measure to limit use of that support  
(might be subject of future cases before the EU-court or in the EEA; justification is to be found in preventing unreasonable burdens for member states, as it has been regulated in Directive 2004/38/EG (art. 24) on free movement of persons in the EU/EEA)
- Double funding might occur > needs to be addressed, also to prevent unnecessary burdens

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- Council of Europe: European Social Charter & European Agreement on Payment of Scholarships for Students Studying abroad: no direct relevance. The principle of portability is however visible in the latter agreement dating from the late sixties of last century.
- National laws: active use of residence requirements to deny incoming students support, if there already is any entitlement for non-nationals.

# Portability of grants & loans

- Draft conclusions on EU-law
  - Neutral approach from EU-law > portability is possible
  - Incoming students can be denied support quite effective but not entirely > double funding might occur on small scale, needs to be adressed.
  - Final report should provide relevant documents + available analysis

# Portability of grants & loans

- **Description of national systems**

Through a questionnaire basic information on the different systems was gathered.

Allthough no system is exactly like another, there are a lot of similarities: grants and loans usually depend on age, income, achievement, living condition and nationality

Information on these parameters is needed for the good operation of support systems

The exchange of certain kinds of information could be defined as possible joint action, be it bilateral or multilateral, but most not be overstressed

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Some systems provide grants or loans in addition to other instruments, like family allowances

Some systems provide grants and loans in all three cycles, others only in first or second.

The extend of portability is also different from state to state.

Special mobility grants are sometimes provided for.

To prevent 'brain drain' they are sometimes subject to 'return-conditions': the student has to work in the homecountry after going abroad for a certain period.

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The information on the different systems will be added to the report.

To be used in combination with results from Social Dimension working group and Stocktaking working group

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- **Current (good) practices from the countries that have (substantial) portability of grants and loans**

Highlighting existing examples of information sharing

Highlighting data protection issue

Look into key elements of portability systems

Possible recommendations on future collaboration

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## Need for information>

- General information: for example on the educational system in the country where the student studies
- Information regarding individuals: is the student actually enrolled in an institution in the country he claims to be studying?  
Only information on possible double funding is actually exchanged with respect to individuals
- Data protection laws should be dealt with > the receiving country should provide adequate protection to the standards of the delivering country. Within the EU this is no problem due to common protection standards.
- Systems that have portability on a larger scale all have residency requirements  
(conditio sine qua non for portability)



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- Draft Recommendations from Current practice group:
  - Residency requirement is vital
  - Identify key organisations in each country
  - To share general information
  - Look into data protection if exchange of individual information is desired
  - Most likely for prevention of double funding

# Portability of grants & loans

- Next steps

1. Finalising report > based on the gathered information
2. Looking into recommendations > ambitious but realistic:
  - Identify organisations in each country to create a network.
  - Mainly for general information
  - Exchange of individual information only to prevent double claiming

(realistic because Ministers of Education have a say in the student support providing organisations)
3. Suggesting contribution to the London Communiqué

# Portability of grants & loans

- What do we want from BFUG?
  - Comments / questions
  - Suggestions on recommendations
  - Suggestions on text for communiqué

# Portability of grants & loans

*...to make mobility a reality!*