

Emergency Fund Regulations

Breda University of Applied Sciences

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Legal Team

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Chapter 1 General provisions

Article 1.1 Definitions

In the Emergency Fund Regulations the following definitions apply:

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| Academy | Organisational unit as referred to in article 10.3a WHW, which offers one or more study programme(s). |
| Academic year | Period starting 1 September and ending 31 August of the following year as referred to in article 1.1 under k WHW. An academic year consists of 60 ECTS credits (1,680 hours). |
| Academy director | Leading officer of an academy. The academy director bears final responsibility for the day-to-day running of an academy on the grounds of the duties and powers authorised to him/her by the Executive Board. |
| BUas | Breda University of Applied Sciences. |
| DUO | <i>Dienst Uitvoering Onderwijs</i> (Education Executive Agency) |
| Executive Board | The governing and policy-making body of <i>Stichting Breda University of Applied Sciences</i> , as referred to in article 10.2 WHW in conjunction with Articles 3 to 5 inclusive and Article 7 of the articles of association of the <i>Stichting</i> . |
| Student | The person enrolled as a student of Breda University of Applied Sciences, as referred to in article 7.32 WHW. |
| Student counsellor | An official whose key duty is to guide, inform, and advise (prospective) students in the field of study and education. |
| Study programme | A coherent set of courses, as referred to in article 7.3 WHW. |
| WHW | The Higher Education and Research Act including any later supplements. |

Chapter 2 Profiling Fund Review Committee

Article 2.1 General

- 1 The members of the Profiling Fund Review Committee (hereinafter referred to as the committee) will be appointed by the Executive Board for a period of four years. Members may be reappointed one more time thereafter.
- 2 The committee consists of four members, who are two student counsellors, a student member from the participation council, and a chair appointed by the Executive Board. The committee will be supported by an official secretary.
- 3 In connection with the protection of the privacy of the student who has submitted a request, the members of the committee and the official secretary are obliged to maintain confidentiality on all matters they learn in their capacity as committee members or official secretary.
- 4 The committee can be contacted via the following email address: profilingfund@buas.nl.

Article 2.2 Duties and powers

- 1 The committee is responsible for assessing student applications for financial support as stated in the Emergency Fund Regulations.
- 2 The committee has the authority, in connection with executing its duties, to:
 - Draw up further guidelines which the application must meet;
 - Go to the student, employees involved, the student counsellor or, after permission given by the student, the student's counsellor for further information about the application;
 - Do the necessary checks for correctly assessing the application;
 - Do the administrative work including laying down the financial support. The student's Citizen Service Number must be included at any rate.
- 3 After assessing the application, the committee gives a recommendation to the Executive Board, who will take a decision (see article 3.4).
- 4 The committee will inform the student in writing of the decision and financial support as stated in these Regulations.
- 5 The committee accounts for its expenses annually by writing a report, which is part of the BUAs annual report.

Article 2.3 Applicability

- 1 The Emergency Fund Regulations apply to all students enrolled in Breda University of Applied Sciences.
- 2 The Emergency Fund Regulations are part of the Students' Charter. The Students' Charter states the rights and obligations of the students enrolled in BUAs.

Chapter 3 Application procedure for financial support

Article 3.1 Aim of the Emergency Fund

- 1 The Executive Board makes arrangements for students enrolled in BUAs to offer financial support in special circumstances and on a temporary basis.
- 2 The Executive Board issues guidelines for the special cases referred to in section 1.

Article 3.2 Conditions for financial support

A student is eligible to be supported by the Emergency Fund if:

- a there are circumstances that have arisen outside the free will of the applicant as a result of which it is necessary to request financial support to (partly) cover the cost of studying and/or cost of living and
- b it is impossible to find another way of finding a financial bridge¹ and
- c without any extra financial support, the student is forced to quit his studies at Breda University of Applied Sciences.

Article 3.3 Application procedure

- 1 A student submits an application for financial support to the committee via the standard [form](#).
- 2 The application form has been signed by the student and consists of the following components:
 - a The applicant's surname, first names, address, student number, bank/giro account number and Citizen Service Number as well as the study programme on which the applicant is enrolled;
 - b A short justification of the request;
 - c A final message/decision of DUO in relation to the student finance awarded;
 - d Recommendation given by the student counsellor including date of receipt;
 - e The other information and documents requested by the committee if necessary.
- 3 The student writes the application in the Dutch or English language.
- 4 If the application is incomplete, the application will be sent back to the student with the request to provide the missing information within a term of four weeks.
- 5 If an application is not submitted in time or is incomplete (and if no missing information is provided within the period as referred to in paragraph 4) this application will be declared inadmissible and as a result not be dealt with. The applicant will be informed about this in writing.

Article 3.4 Handling and decision-making

- 1 The committee will send its recommendation to the Executive Board following receipt of the application. The Executive Board will decide on the application no later than within six weeks after receipt of the application by the committee assuming that it is complete. The decision delivered means that either the application has been granted or turned down.

¹ Examples of these are a bank loan, a loan from DUO, a (social assistance) benefit, extra support from parents, etc.

- 2 In an emergency situation, the period as referred to in paragraph 1 may be deviated from.
- 3 If further research is needed to deal with the application, the period as referred to in paragraph 1 may be extended by max two weeks. The student will be informed of this extension in writing.

Article 3.5 Amount and duration of financial support

- 1 When the duration of financial support is decided on, the facts and circumstances that are the grounds on which the decision to grant support is based will be taken into account.
- 2 The determination of the amount and duration of financial support will be justified in the decision.
- 3 The financial support will be provided for a maximum of twelve months.
- 4 The financial support will be provided in the form of an interest-free loan, a conditional gift or a combination of both forms. The conditions for financial support are listed in article 3.2. For a loan (either full or partial), the provisions of article 3.6 also apply in addition.
- 5 A target amount applies to the financial support. The committee may deviate from it if explained sufficiently.
- 6 If this (partially) constitutes a loan, a [loan agreement](#) will be drawn up for this loan.
- 7 The financial support commences in the month following the date on which the decision about granting the support is made. A term will be paid out at the end of the relevant month. These payment terms may be deviated from on the advice of the student counsellor.

Article 3.6 Conditions and repayment of a loan

- 1 A loan will only be provided if the student and Breda University of Applied Sciences have fully completed and signed the [loan agreement](#). This loan agreement can be considered a loan note.
- 2 The loan agreement will state as per which date, in how many instalments and in which frequency the loan will be repaid. The repayment period is max. 2 years. If repayment causes any problems, it will be possible (based on the principle of reasonableness and fairness) to agree alternative arrangements with regard to repayment.
- 3 Contrary to paragraph 2, (part of) the debt can be waived by the Executive Board in special circumstances and on the advice of the committee.
- 4 If the student does not meet the instalments agreed on and/or amounts, the debt still outstanding will directly become payable. If collection costs are due, they must be paid by the student.
- 5 As soon as the student terminates enrolment with Breda University of Applied Sciences, the (remainder of) the money lent (the debt) will become payable without delay.
- 6 In the event of the death of the student the outstanding debt will be cancelled.

Article 3.7 Reclaiming loans granted unduly

If support has been given after the student concerned has provided incorrect details or after fraud, the Executive Board of Breda University of Applied Sciences may decide on the advice of the Committee:

- a to terminate the support;
- b to cancel the decision to issue support;
- c reclaim the support that has already been paid out.

Chapter 4 Concluding provisions

Article 4.1 Hardship clause

- 1 The Executive Board may deviate from any of the provisions as referred to in the Regulations in special circumstances. The committee is always asked for advice in such circumstances. The deviation is based on the judgment of the Executive Board that a rejection of an application on the grounds of these Regulations or application of the provisions of these Regulations would lead to extreme unfairness.
- 2 The Executive Board will decide in all matters for which the Regulations do not provide on the advice of the committee.

Article 4.2 Adoption and entry into force

- 1 The Emergency Fund Regulations are drawn up by the committee.
- 2 The Emergency Fund Regulations are adopted by the Executive Board.
- 3 These Regulations took effect on 1 September 2023 and are published on the student portal and on the BUAs website.



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