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STATUTORY RULES OF NORTHERN IRELAND

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**2024 No. 19**

**The Education (Student Support, etc.)  
(Amendment) Regulations (Northern Ireland) 2024**

**PART 2**

**CHAPTER 1**

**Amendment of the Student Fees (Amounts) Regulations (Northern Ireland) 2005**

**Amendment to the 2005 Regulations**

- 3.** In regulation 3 (prescribed basic and higher amounts)—
  - (a) for “£1,855” substitute “£1,870”; and
  - (b) for “£4,710” substitute “£4,750”.
- 4.** In regulation 4 (prescribed basic and higher amounts for specified courses)—
  - (a) for “£905” substitute “£910”; and
  - (b) for “£2,340” substitute “£2,360”.

**CHAPTER 2**

**Amendment to Disabled Students’ Allowance**

**Amendment to the 2009 Regulations**

- 5.** In regulation 117 (conversion of status – eligible students transferring to designated distance learning courses)(1)—
  - (a) omit paragraph (2)(b).
  - (b) in paragraph (2)(c) omit “(or, where sub-paragraph (b) applies, further reduced)”.
- 6.** In regulation 118 (conversion of status – eligible distance learning students transferring to designated courses)(2)—
  - (a) in paragraph (2)(c) after “or 6” insert “(other than an amount of disabled students’ allowance)”;
  - (b) in paragraph (2)(d) omit “(or, where sub-paragraph (c) applies, further reduced)”.
- 7.** In regulation 135(3) (conversion of status)—
  - (a) omit paragraph (3)(b);
  - (b) in paragraph (3)(c) omit “(or, where sub-paragraph (b) applies, further reduced)”.

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(1) Regulation 117 was amended by [S.R. 2017 No. 7](#) and [S.R. 2022 No. 263](#).

(2) Regulation 118 was amended by [S.R. 2017 No. 7](#).

(3) Regulation 135 was amended by [S.R. 2017 No. 7](#) and [S.R. 2022 No. 263](#).

- (c) in paragraph (12)(c) after “or 6” insert “(other than an amount of disabled students’ allowance)”.
- (d) in paragraph (12)(d) omit “(or, where sub-paragraph (c) applies, further reduced)”.

### CHAPTER 3

#### Amendments to Master’s, etc. Courses in the Republic of Ireland

##### Amendments to the 2009 Regulations

- 8. In regulation 141 (designated postgraduate courses) (4) after paragraph (1)(c)(vi) insert—
  - “(vii) provided by a relevant institution of higher education in the Republic of Ireland or by a relevant institution of higher education in the Republic of Ireland in conjunction with an institution outside of the Republic of Ireland;”
- 9. In regulation 152 (designated Master’s, etc. courses) (5)—
  - (a) in paragraph (1)—
    - (i) after sub-paragraph (c)(vi) insert—
      - “(vii) provided by a relevant institution of higher education in the Republic of Ireland or by a relevant institution of higher education in the Republic of Ireland in conjunction with an institution outside of the Republic of Ireland;”
    - (ii) in sub-paragraph (d) after “United Kingdom” insert “or the Republic of Ireland”.
  - (b) in paragraph (3)(e) after “United Kingdom” each time it appears insert “or the Republic of Ireland”.

### CHAPTER 4

#### Omission of Qualifying Course and Student References

##### Amendments to the 2009 Regulations

- 10. In regulation 2(1) (interpretation)(6) omit the definition of “qualifying course”.
- 11. In regulation 5 (eligible students) (7)—
  - (a) in paragraph (11)—
    - (i) at the end of sub-paragraph (a)(i), for “or” substitute “and”;
    - (ii) omit sub-paragraph (a)(ii) (including “and” at the end);
    - (iii) in the words after sub-paragraph (b), for “eligible or qualifying student” substitute “eligible student”;
  - (b) in paragraph (11C)—
    - (i) at the end of sub-paragraph (a)(i), for “or” substitute “and”;
    - (ii) omit sub-paragraph (a)(ii) (including “and” at the end);
    - (iii) in the words after sub-paragraph (b), for “eligible or qualifying student” substitute “eligible student”;

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(4) Regulations 141 was amended by [S.R. 2013 No. 223](#), [S.R. 2017 No. 7](#) and [S.R.s 2019 No. 102](#) and [1998 \(c.30\)](#)

(5) Regulations 152 was inserted by [S.R. 2017 No. 7](#) and subsequently amended by [S.R.s 2019 No. 102](#) and [2020 No. 79](#).

(6) Regulation 2 was amended by [S.R. 2010 No. 383](#), [S.R.s 2013 No.s 128](#) and [223](#), [S.R.s 2017 No.s 7](#) and [43](#), [S.R. 2019 No. 35](#), [S.R. 2021 Nos. 50](#) and [85](#), [S.R.s 2022 No.s 75](#) and [201](#) and [S.I. 2020/1209](#) as amended by [2020/139](#).

(7) Regulation 5 was amended by [S.S.I. 2007 No. 503](#), [S.R.s 2010 No. 383](#), [2013 No. 128](#), [2017 No. 7](#), [2019 No. 35](#), [2021 Nos. 50](#) and [85](#) and [2022 No. 75](#).

- (c) in paragraph (11D) in the words after sub-paragraph (b), for “eligible or qualifying student” substitute “eligible student”;
  - (d) in paragraph (11E)—
    - (i) at the end of sub-paragraph (a)(i), for “or” substitute “and”;
    - (ii) omit sub-paragraph (a)(ii) (including “and” at the end);
    - (iii) in the words after sub-paragraph (b), for “eligible or qualifying student” substitute “eligible student”;
  - (e) in paragraph (11F)—
    - (i) at the end of sub-paragraph (a)(i), for “or” substitute “and”;
    - (ii) omit sub-paragraph (a)(ii) (including “and” at the end);
    - (iii) in the words after sub-paragraph (b), for “eligible or qualifying student” substitute “eligible student”;
  - (f) in paragraph (12)—
    - (i) at the end of sub-paragraph (a)(i), for “or” substitute “and”;
    - (ii) omit sub-paragraph (a)(ii) (including “and” at the end);
    - (iii) in the words after sub-paragraph (b), for “eligible or qualifying student” substitute “eligible student”;
  - (g) in paragraph (13) for “, an eligible student or a qualifying student” substitute “or an eligible student”.
- 12.** In regulation 57(4) (qualifying conditions for the maintenance grant) **(8)** for “qualifying student” substitute “current system student”.
- 13.** In regulation 97 (provision of United Kingdom national insurance number)—
- (a) in paragraph (1), for “eligible or qualifying student” substitute “eligible student”;
  - (b) in paragraph (2), for “eligible or qualifying student” substitute “eligible student”;
  - (c) in paragraph (3), for “eligible or qualifying student”, in both places it occurs, substitute “eligible student”.
- 14.** In regulation 98 (information requirements)—
- (a) in paragraph (1), for “, eligible student or qualifying student” substitute “or eligible student”;
  - (b) in paragraph (2), for “, eligible student or qualifying student” substitute “or eligible student”;
  - (c) in paragraph (3), for “, eligible student or qualifying student” substitute “or eligible student”.
- 15.** In regulation 105(eligible distance learning students) **(9)**
- (a) in paragraph (11C) in the words after sub-paragraph (b), for “eligible or qualifying student” substitute “eligible student”;
  - (b) in paragraph (11D) in the words after sub-paragraph (b), for “eligible or qualifying student” substitute “eligible student”.

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**(8)** paragraph (4) was inserted by [S.R. 2012 No. 398](#).

**(9)** Regulation 105 was amended by [S.S.I. 2007 No. 503](#), [S.R.s 2010 No. 383](#), [2019 No. 35](#), 2021 Nos. [50](#) and [85](#) and 2022 Nos. [75](#) and [201](#).

## CHAPTER 5

## Delivery of Provision

**Amendments to the 2009 Regulations**

**16.** In regulation 6 (designated courses)(**10**)—

(a) in paragraph (1)—

(i) in sub-paragraph (d)(ii) omit “and” where it occurs;

(ii) in sub-paragraph (e)(x) for “.” insert “; and”;

(iii) after sub-paragraph (e)(**11**) insert —

“(f) substantially provided in the United Kingdom or the Republic of Ireland.”;

(b) in paragraph (5)(b) after “United Kingdom” insert “or the Republic of Ireland”;

(c) after paragraph (6)(d)(**12**) insert—

“(e) a course is substantially provided in the United Kingdom or the Republic of Ireland where at least half of the teaching and supervision which comprise the course is provided in the United Kingdom or the Republic of Ireland.”

**17.** In regulation 109 (4A) (support for distance learning courses) (**13**) after “United Kingdom” insert “or the Republic of Ireland”.

**18.** In regulation 141(1)(d) (designated postgraduate courses) after sub-paragraph (d)(**14**) insert—

“(e) substantially provided in the United Kingdom or the Republic of Ireland.”.

## CHAPTER 6

## Amendments Relating to Immigration Rules

**Amendments to the 2009 Regulations**

**19.** In regulation 2(1) (interpretation) (as amended by regulation 10 of these regulations)—

(a) after the definition of “household income”, insert—

““immigration rules” has the meaning given in section 33(1) of the Immigration Act 1971(**15**);”;

(b) in the definition of “person granted Calais leave”, in paragraph (a) omit “, as defined in section 33(1) of the Immigration Act 1971”;

(c) in the definition of “person granted humanitarian protection”, in paragraph (a) omit “as defined in section 33(1) of the Immigration Act 1971”;

(d) in the definition of “person granted indefinite leave to remain as a bereaved partner”, in paragraph (a) omit “, as defined in section 33(1) of the Immigration Act 1971”;

(e) in the definition of “person granted indefinite leave to remain as a victim of domestic violence or domestic abuse”, in paragraph (a) omit “, as defined in section 33(1) of the Immigration Act 1971”;

(10) Regulation 6 was amended by S.R. 2013 No. 223, S.R. 2019 No. 102, S.R. 2020 No.79 and S.R. 2022 No. 75.

(11) sub-paragraph (e) was substituted by S.R. 2019 No. 102.

(12) sub-paragraph (d) was amended by S.Rs 2013 No. 223, 2019 No. 35 and 2019 No. 102.

(13) paragraph (4A) was inserted by S.R 2012 No.398.

(14) sub-paragraph (e) was substituted by S.R. 2019 No. 102.

(15) 1971 c. 77.

- (f) in the definition of “person granted leave under the Afghan Citizens Resettlement Scheme”, in paragraph (a)(i) for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
  - (g) in the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”, in paragraph (a)(i)—
    - (i) for “Immigration Rules”, in the first place it appears, substitute “immigration rules”;
    - (ii) for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
  - (h) in the definition of “person granted leave under the Homes for Ukraine Sponsorship Scheme”—
    - (i) in paragraph (a)(i), for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
    - (ii) in paragraph (a)(ii), for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
  - (i) in the definition of “person granted leave under the Ukraine Extension Scheme”, in paragraph (a), for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
  - (j) in the definition of “person granted leave under the Ukraine Family Scheme”—
    - (i) in paragraph (a)(i), for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
    - (ii) in paragraph (a)(ii), for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
  - (k) in the definition of “person granted stateless leave”, in paragraph (a) omit “(within the meaning given in section 33(1) of the Immigration Act 1971)”.
- 20.** In Schedule 2 Part 2 (categories)—
- (a) in paragraph (3)(2) omit “(as defined in section 33(1) of the Immigration Act 1971)”;
  - (b) in paragraph 4F(4) (persons granted stateless leave and their family members) omit “(within the meaning given in section 33(1) of the Immigration Act 1971)”.

### **Amendments to the 2007 Regulations**

**21.**—(1) The Schedule (Qualifying Persons)(16) is amended as follows—

- (2) in paragraph (1)—
  - (a) after the definition of “family member”, insert—““immigration rules” has the meaning given in section 33(1) of the Immigration Act 1971(17);”;
  - (b) in the definition of “person granted humanitarian protection”, in paragraph (a) omit “as defined in section 33(1) of the Immigration Act 1971”;
  - (c) in the definition of “person granted indefinite leave to remain as a bereaved partner”, in paragraph (a) omit “, as defined in section 33(1) of the Immigration Act 1971”;
  - (d) in the definition of “person granted indefinite leave to remain as a victim of domestic violence or domestic abuse”, in paragraph (i) omit “, as defined in section 33(1) of the Immigration Act 1971”;

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(16) The Schedule was amended by S.R.s 2011 Nos. 70 and 276, S.R. 2013 No. 37, S.S 2019 No. 35, S.R. 2020 No. 295, S.R.s 2021 Nos. 50 and 85 and S.R.s 2022 Nos. 75 and 201 and 2011/1043.

(17) 1971 c. 77.

- (e) in the definition of “person granted leave under the Afghan Citizens Resettlement Scheme”, in paragraph (a)(i) for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
- (f) in the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”, in paragraph (a)(i)—
  - (i) for “Immigration Rules”, in the first place it appears, substitute “immigration rules”;
  - (ii) for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
- (g) in the definition of “person granted leave under the Homes for Ukraine Sponsorship Scheme”—
  - (i) in paragraph (a)(i), for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
  - (ii) in paragraph (a)(ii), for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
- (h) in the definition of “person granted leave under the Ukraine Extension Scheme”, in paragraph (a), for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
- (i) in the definition of “person granted leave under the Ukraine Family Scheme”—
  - (i) in paragraph (a)(i) for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
  - (ii) in paragraph (a)(ii) for “Immigration Rules as defined in section 33(1) of the Immigration Act 1971” substitute “immigration rules”;
- (j) in the definition of “person granted stateless leave”, in paragraph (a) omit “(within the meaning given in section 33(1) of the Immigration Act 1971)”.
- (3) in paragraph (3)(2) omit “(as defined in section 33(1) of the Immigration Act 1971)”;
- (4) in paragraph 4B (Persons granted Calais leave) in paragraph (a) omit “, as defined in section 33(1) of the Immigration Act 1971”;
- (5) in paragraph 4F (Persons granted Calais leave) in paragraph (4) omit “(within the meaning given in section 33(1) of the Immigration Act 1971)”.

## CHAPTER 7

### Amendments Relating to Family Members of Persons Granted Leave under one of the Afghan Schemes or one of the Ukraine Schemes

#### **Amendments to the 2009 Regulations**

**22.** In regulation 2(1) (interpretation) (as amended by regulations 10 and 19 of these regulations)

- (a) in the definition of “person granted leave under the Afghan Citizens Resettlement Scheme”, for paragraph (a) substitute—
  - “(a) who has indefinite leave to enter or remain in the United Kingdom, outside the immigration rules, on the basis of the Afghan Citizens Resettlement Scheme; and”;
- (b) in the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme” in paragraph (a)—
  - (i) after sub-paragraph (i) insert

- “(ia) indefinite leave to enter the United Kingdom under paragraph ARAP 6.1 of Appendix Afghan Relocation and Assistance Policy of the immigration rules or indefinite leave to remain in the United Kingdom under paragraph ARAP 6.2 of that Appendix of those rules;”;
- (ii) at the end of sub-paragraph (ii) insert “or”;
- (iii) at the end of sub-paragraph (iii), for “or” substitute “and”;
- (iv) in sub-paragraph (iv), after “of those rules” insert “or paragraph ARAP 16.1 of Appendix Afghan Relocation and Assistance Policy of those rules”;
- (v) omit sub-paragraph (iv).
- 23.** In regulation 2A(3) (as inserted by regulation 36 of these Regulations)—
- (a) in sub-paragraph (i), after “student” insert “or the student’s spouse, civil partner or parent”;
- (b) in sub-paragraph (j), after “student” insert “or the student’s spouse, civil partner or parent”.
- 24.** In regulation 5 (eligible students) (as amended by regulation 11 of these regulations) —
- (a) in paragraph (11E)(**18**)(a), after “Afghan Schemes” insert “or the spouse, civil partner, child or step-child of such a person”;
- (b) in paragraph (11F)(**19**)(a), after “Ukraine Schemes” insert “or the spouse, civil partner, child or step-child of such a person”.
- 25.** In regulation 105 (Eligible distance learning students) (as amended by regulation 15 of these regulations) —
- (a) in paragraph (11E)(**20**)(a), after “Afghan Schemes” insert “or the spouse, civil partner, child or step-child of such a person”;
- (b) in paragraph (11F)(**21**)(a), after “Ukraine Schemes” insert “or the spouse, civil partner, child or step-child of such a person”.
- 26.** In regulation 122 (Eligible part-time students)—
- (a) in paragraph (10E)(**22**)(a), after “Afghan Schemes” insert “or the spouse, civil partner, child or step-child of such a person”;
- (b) in paragraph (10F)(**23**)(a), after “Ukraine Schemes” insert “or the spouse, civil partner, child or step-child of such a person”.
- 27.** In regulation 139 (Eligible postgraduate students)—
- (a) in paragraph (12E)(**24**)(a), after “Afghan Schemes” insert “or the spouse, civil partner, child or step-child of such a person”;
- (b) in paragraph (12F)(**25**)(a), after “Ukraine Schemes” insert “or the spouse, civil partner, child or step-child of such a person”.
- 28.** In regulation 149 (Eligible Master’s, etc. students)—
- (a) in paragraph (11E)(**26**)(a), after “Afghan Schemes” insert “or the spouse, civil partner, child or step-child of such a person”;

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(18) paragraph 11E was inserted by [S.R. 2022 No. 75](#).

(19) paragraph 11F was inserted by [S.R. 2022 No. 201](#).

(20) paragraph 11E was inserted by [S.R. 2022 No. 75](#).

(21) paragraph 11F was inserted by [S.R. 2022 No. 201](#).

(22) paragraph 10E was inserted by [S.R. 2022 No. 75](#).

(23) paragraph 10F was inserted by [S.R. 2022 No. 201](#).

(24) paragraph 12E was inserted by [S.R. 2022 No. 75](#).

(25) paragraph 12F was inserted by [S.R. 2022 No. 201](#).

(26) paragraph 11E was inserted by [S.R. 2022 No. 75](#).

- (b) in paragraph (11F)(27)(a), after “Ukraine Schemes” insert “or the spouse, civil partner, child or step-child of such a person”.

**29.** In Part 2 of Schedule 2 (eligible students: categories)—

- (a) For paragraph 14(28) —  
(including the heading) substitute—

**“Persons granted leave under one of the Afghan Schemes and their family members”;**

**14.—(1)** A person granted leave under one of the Afghan Schemes, who is ordinarily resident in Northern Ireland on the course start date.

(2) A person who—

- (a) is the spouse or civil partner of a person granted leave under one of the Afghan Schemes;  
(b) on the leave application date, was the spouse or civil partner of that person;  
(c) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom;  
and  
(d) is ordinarily resident in Northern Ireland on the course start date.

(3) A person who—

- (a) is—  
(i) the child of a person granted leave under one of the Afghan Schemes; or  
(ii) the child of the spouse or civil partner of a person granted leave under one of the Afghan Schemes;  
(b) on the leave application date, was—  
(i) the child of the person granted leave under one of the Afghan Schemes; or  
(ii) the child of a person who was the spouse or civil partner of the person granted leave under one of the Afghan Schemes on that date;  
(c) was under 18 on the leave application date;  
(d) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom;  
and  
(e) is ordinarily resident in Northern Ireland on the course start date.

(4) In this paragraph “leave application date” means the date on which the person granted leave under one of the Afghan Schemes made an application for leave to enter or remain in the United Kingdom.”.

- (b) For paragraph 16 (including the heading) substitute—

**“Persons granted leave under one of the Ukraine Schemes and their family members**

**16.—(1)** A person granted leave under one of the Ukraine Schemes, who is ordinarily resident in Northern Ireland on the course start date.

(27) paragraph 11F was inserted by [S.R. 2022 No. 201](#).

(28) paragraph 14 was inserted by [S.R. 2022 No. 75](#).



- (2) A person who—
    - (a) is the spouse or civil partner of a person granted leave under one of the Ukraine Schemes;
    - (b) on the leave application date, was the spouse or civil partner of that person;
    - (c) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
    - (d) is ordinarily resident in Northern Ireland on the course start date.
  - (3) A person who—
    - (a) is—
      - (i) the child of a person granted leave under one of the Ukraine Schemes; or
      - (ii) the child of the spouse or civil partner of a person granted leave under one of the Ukraine Schemes;
    - (b) on the leave application date, was—
      - (i) the child of the person granted leave under one of the Ukraine Schemes; or
      - (ii) the child of a person who was the spouse or civil partner of the person granted leave under one of the Ukraine Schemes on that date;
    - (c) was under 18 on the leave application date;
    - (d) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
    - (e) is ordinarily resident in Northern Ireland on the course start date.
- (4) In this paragraph “leave application date” means the date on which the person granted leave under one of the Ukraine Schemes made an application for leave to enter or remain in the United Kingdom.”.

### **Amendments to the 2007 Regulations**

**30.**—(1) The Schedule (Qualifying Persons) (as amended by regulation 21 of these regulations) is amended as follows—

- (2) in paragraph (1)—
  - (a) in the definition of “person granted leave under the Afghan Citizens Resettlement Scheme”, for paragraph (a) substitute—
    - “(a) who has indefinite leave to enter or remain in the United Kingdom, outside the immigration rules, on the basis of the Afghan Citizens Resettlement Scheme; and”;
  - (b) in the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme”, in paragraph (a)—
    - (i) after sub-paragraph (i) insert
      - “(ia) indefinite leave to enter the United Kingdom under paragraph ARAP 6.1 of Appendix Afghan Relocation and Assistance Policy of the immigration rules or indefinite leave to remain in the United Kingdom under paragraph ARAP 6.2 of that Appendix of those rules;”;
    - (ii) at the end of sub-paragraph (ii) insert “or”;
    - (iii) at the end of sub-paragraph (iii), for “or” substitute “and”;

- (iv) in sub-paragraph (iv), after “of those rules” insert “or paragraph ARAP 16.1 of Appendix Afghan Relocation and Assistance Policy of those rules”;
- (v) omit sub-paragraph (iv).
- (3) in Part 2 of the Schedule (qualifying persons: categories)—
  - (a) for paragraph 4G(29) (including the heading) substitute—

**“Persons granted leave under one of the Afghan Schemes and their family members**

**4G.—**(1) A person granted leave under one of the Afghan Schemes, who is ordinarily resident in the United Kingdom on the course start date.

- (2) A person who—
  - (a) is the spouse or civil partner of a person granted leave under one of the Afghan Schemes;
  - (b) on the leave application date, was the spouse or civil partner of that person;
  - (c) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being granted leave to enter or remain in the United Kingdom; and
  - (d) is ordinarily resident in the United Kingdom on the course start date.
- (3) A person who—
  - (a) is—
    - (i) the child of a person granted leave under one of the Afghan Schemes; or
    - (ii) the child of the spouse or civil partner of a person granted leave under one of the Afghan Schemes;
  - (b) on the leave application date, was—
    - (i) the child of the person granted leave under one of the Afghan Schemes; or
    - (ii) the child of a person who was the spouse or civil partner of a person granted leave under one of the Afghan Schemes on that date;
  - (c) was under 18 on the leave application date;
  - (d) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
  - (e) is ordinarily resident in the United Kingdom on the course start date.

(4) In this paragraph “leave application date” means the date on which the person granted leave under one of the Afghan Schemes made an application for leave to enter or remain in the United Kingdom.”;

- (b) for paragraph 4I(30) (including the heading) substitute—

**“Persons granted leave under one of the Ukraine Schemes and their family members**

**4I.—**(1) A person granted leave under one of the Ukraine Schemes, who is ordinarily resident in the United Kingdom on the course start date.

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(29) paragraph 4G was inserted by [S.R. 2022 No. 75](#)

(30) paragraph 4I was inserted by [S.R. 2022 No. 75](#)

- (2) A person who—
  - (a) is the spouse or civil partner of a person granted leave under one of the Ukraine Schemes;
  - (b) on the leave application date, was the spouse or civil partner of that person;
  - (c) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being granted leave to enter or remain in the United Kingdom; and
  - (d) is ordinarily resident in the United Kingdom on the course start date.
- (3) A person who—
  - (a) is—
    - (i) the child of a person granted leave under one of the Ukraine Schemes; or
    - (ii) the child of the spouse or civil partner of a person granted leave under one of the Ukraine Schemes;
  - (b) on the leave application date, was—
    - (i) the child of the person granted leave under one of the Ukraine Schemes; or
    - (ii) the child of a person who was the spouse or civil partner of a person granted leave under one of the Ukraine Schemes on that date;
  - (c) was under 18 on the leave application date;
  - (d) is ordinarily resident in the United Kingdom and Islands and has not ceased to be so resident since being given leave to enter or remain in the United Kingdom; and
  - (e) is ordinarily resident in the United Kingdom on the course start date.
- (4) In this paragraph “leave application date” means the date on which the person granted leave under one of the Ukraine Schemes made an application for leave to enter or remain in the United Kingdom.”.

## CHAPTER 8

### Amendments relating to the ordinary residence requirements

#### Amendments to the 2009 Regulations

**31.** In regulation 2(1) (interpretation) (as amended by regulation 10, 19 and 22 of these regulations), after the definition of “course for the initial training of teachers” insert—

““the course start date” means the day on which the first term of the first academic year of a course actually begins;”.

**32.** In Part 2 of Schedule 2 (eligible students: categories) ( as amended by regulation 29 of these regulations)—

- (a) in paragraph 2A(1)(a)(**31**) (persons who are settled in the United Kingdom), for “the first day of the first academic year of the course” substitute “the course start date”;
- (b) in paragraph 4 (Refugees and their family members)—
  - (i) in sub-paragraph (1)(c) for “the first day of the first academic year of the course” substitute “the course start date”;

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(31) paragraph 2A was inserted by [S.R. 2021 No. 85](#).

- (ii) in sub-paragraph (2)(d) for “the first day of the first academic year of the course” substitute “the course start date”;
- (iii) in sub-paragraph 3(e) for “the first day of the first academic year of the course” substitute “the course start date”;
- (c) in paragraph 4A**(32)** (persons granted section 67 leave), for “the first day of the first academic year of the course” substitute “the course start date”;
- (d) in paragraph 4B**(33)** (persons granted Calais leave), for “the first day of the first academic year of the course” substitute “the course start date”;
- (e) in paragraph 4C**(34)** (persons granted humanitarian protection and their family members)—
  - (i) in paragraph (1) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (ii) in sub-paragraph (2)(d) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (iii) in sub-paragraph 3(e) for “the first day of the first academic year of the course” substitute “the course start date”;
- (f) in paragraph 4D**(35)** (persons granted indefinite leave to remain as a bereaved partner), for “the first day of the first academic year of the course” substitute “the course start date”;
- (g) in paragraph 4E**(36)** (persons granted indefinite leave to remain as a victim of domestic violence or domestic abuse), for “the first day of the first academic year of the course” substitute “the course start date”;
- (h) in paragraph 4F**(37)** (persons granted stateless leave and their family members)—
  - (i) in paragraph (1) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (ii) in sub-paragraph (2)(c) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (iii) in sub-paragraph 3(d) for “the first day of the first academic year of the course” substitute “the course start date”;
- (i) in paragraph 5**(38)** (persons with leave to enter or remain on the grounds of discretionary leave and their family members)—
  - (i) in paragraph (1) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (ii) in sub-paragraph (2)(d) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (iii) in sub-paragraph 3(d) for “the first day of the first academic year of the course” substitute “the course start date”;
- (j) in paragraph 8(1)(c)**(39)** (persons who are settled in the United Kingdom and have exercised a right of residence elsewhere), for “the first day of the first academic year of the course” substitute “the course start date”;

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**(32)** paragraph 4A was substituted by [S.R. 2021 No. 50](#).

**(33)** paragraph 4B was substituted by [S.R. 2021 No. 50](#).

**(34)** paragraph 4C was substituted by [S.R. 2021 No. 50](#).

**(35)** paragraph 4D was substituted by [S.R. 2021 No. 50](#).

**(36)** paragraph 4E was substituted by [S.R. 2021 No. 50](#).

**(37)** paragraph 4F was substituted by [S.R. 2021 No. 50](#).

**(38)** paragraph 5 was substituted by [S.R. 2021 No. 50](#).

**(39)** paragraph 8 was amended by [S.R. 2020 No. 295](#).

- (k) in paragraph 8A(1)(d)(40) (persons who are settled in the United Kingdom and have exercised a right of residence elsewhere), for “the first day of the first academic year of the course” substitute “the course start date”.
- (l) in paragraph 15(41) (evacuated or assisted British nationals from Afghanistan), for “the first day of the first academic year of the course” substitute “the course start date”;

### **Amendments to the 2007 Regulations**

- 33.** In regulation 2 after the definition of “course for the initial training of teachers” insert—
- ““the course start date” means the day on which the first term of the first academic year of a course actually begins;”.
- 34.** In Part 2 of the Schedule (qualifying persons: categories) (as amended by regulations 21 and 30 of these regulations)—
- (a) in paragraph 2A(1)(a)(42) (persons who are settled in the United Kingdom) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (b) in paragraph 4 (Refugees and their family members)—
    - (i) in sub-paragraph (1)(c) for “the first day of the first academic year of the course” substitute “the course start date”;
    - (ii) in sub-paragraph (2)(d) for “the first day of the first academic year of the course” substitute “the course start date”;
    - (iii) in sub-paragraph 3(e) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (c) in paragraph 4A(43)(c) (persons granted section 67 leave), for “the first day of the first academic year of the course” substitute “the course start date”;
  - (d) in paragraph 4B(44)(c) (persons granted Calais leave), for “the first day of the first academic year of the course” substitute “the course start date”;
  - (e) in paragraph 4C(45) (persons granted humanitarian protection and their family members)—
    - (i) in paragraph (1) for “the first day of the first academic year of the course” substitute “the course start date”;
    - (ii) in sub-paragraph (2)(d) for “the first day of the first academic year of the course” substitute “the course start date”;
    - (iii) in sub-paragraph 3(e) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (f) in paragraph 4D(46) (persons granted indefinite leave to remain as a bereaved partner), for “the first day of the first academic year of the course” substitute “the course start date”;
  - (g) in paragraph 4E(47) (persons granted indefinite leave to remain as a victim of domestic violence or domestic abuse), for “the first day of the first academic year of the course” substitute “the course start date”;

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(40) paragraph 8A was inserted by [S.R. 2021 No. 85](#).

(41) paragraph 15 was inserted by [S.R. 2022 No. 201](#).

(42) paragraph 2A was inserted by [S.R. 2021 No. 85](#) and amended by [S.R. 2022 No. 75](#).

(43) paragraph 4A was substituted by [S.R. 2021 No. 50](#).

(44) paragraph 4B was substituted by [S.R. 2021 No. 50](#).

(45) paragraph 4C was substituted by [S.R. 2021 No. 50](#).

(46) paragraph 4D was substituted by [S.R. 2021 No. 50](#).

(47) paragraph 4E was substituted by [S.R. 2021 No. 50](#).

- (h) in paragraph 4F(48) (persons granted stateless leave and their family members)—
  - (i) in paragraph (1) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (ii) in sub-paragraph (2)(b) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (iii) in sub-paragraph 3(c) for “the first day of the first academic year of the course” substitute “the course start date”;
- (i) in paragraph 4H(49) (evacuated or assisted British nationals from Afghanistan), for “the first day of the first academic year of the course” substitute “the course start date”;
- (j) in paragraph 5(50) (persons with leave to enter or remain on the grounds of discretionary leave and their family members)—
  - (i) in paragraph (1) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (ii) in sub-paragraph (2)(d) for “the first day of the first academic year of the course” substitute “the course start date”;
  - (iii) in sub-paragraph 3(d) for “the first day of the first academic year of the course” substitute “the course start date”;
- (k) in paragraph 8(1)(c) (persons who are settled in the United Kingdom and have exercised a right of residence elsewhere), for “the day on which the first term of the first academic year actually begins” substitute “the course start date”;
- (l) in paragraph 8A(51)(1)(d) (persons who are settled in the United Kingdom and have exercised a right of residence elsewhere), for “the day on which the first term of the first academic year actually begins” substitute “the course start date”.

## CHAPTER 9

### Amendments relating to students becoming eligible for student support in the course of an academic year

#### **Amendments to the 2009 Regulations**

**35.** In regulation 2 (interpretation) (as amended by regulations 10, 19, 22, and 31 of these regulations)—

- (a) in the heading, after interpretation insert “: general”;
- (b) in paragraph (1)—
  - (i) after the definition of “contribution” insert—
    - ““course designation event” has the meaning given in regulation 2A(5);”;
  - (ii) after the definition of “disabled students’ allowance” insert—
    - ““distance learning designation event” has the meaning given in regulation 2A(6);”;
  - (iii) after the definition of “intensive course” insert—
    - ““in-year qualifying event” has the meaning given in regulation 2A(2);”;
  - (iv) after the definition of “long courses loan” insert—

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(48) paragraph 4F was substituted by [S.R. 2021 No. 50](#).

(49) paragraph 15 was inserted by [S.R. 2022 No. 201](#).

(50) paragraph 5 was substituted by [S.R. 2021 No. 50](#).

(51) paragraph 8A was inserted by [S.R. 2021 No. 85](#).

““Master’s, etc. designation event” has the meaning given in regulation 2A(9);”;

(v) after the definition of “ordinary duration” insert—

““part-time course designation event” has the meaning given in regulation 2A(7);”;

(vi) after the definition of “person with protected rights” insert—

““postgraduate course designation event” has the meaning given in regulation 2A(8);”;

(vii) after the definition of “private institution” insert—

““protected category event” has the meaning given in regulation 2A(3);”;

(viii) after the definition of “Scottish healthcare allowance” insert—

““settled status event” has the meaning given in regulation 2A(4);”.

**36.** After regulation 2 insert—

**“Meaning of “in-year qualifying event”, “protected category event”, “settled status event”, “course designation event” etc. and related matters**

**2A.—(1)** This regulation defines “in-year qualifying event”, “protected category event”, “settled status event”, “course designation event”, “distance learning designation event”, “part-time course designation event”, “postgraduate course designation event” and “Master’s, etc. designation event”, makes related provision for the purposes of these Regulations.

(2) “In-year qualifying event”, in relation to a student, means—

- (a) a protected category event which occurs after the course start date;
- (b) a settled status event;
- (c) the student becomes a person described in paragraph 3(1)(a) of Part 2 of Schedule 2;
- (d) where regulation 5(2A), 105(2A), 122(2A), 139(3A) or 149(2A) applies, the student becomes a person described in paragraph 12(a) of Part 2 of Schedule 2;
- (e) the student becomes a person described in paragraph 6A(1)(a) or 6B(1)(a) of Part 2 of Schedule 2, or where regulation 5(2A), 105(2A), 122(2A), 139(3A) or 149(2A) applies, in paragraph 6(1)(a) of Part 2 of Schedule 2;
- (f) the student becomes a person described in paragraph 11A(a) of Part 2 of Schedule 2 or, where regulation 5(2A), 105(2A), 122(2A), 139(3A) or 149(2A) applies, in paragraph 11(1)(a) of Part 2 of Schedule 2; or
- (g) the student becomes a person described in paragraph 9B(1)(a)(ii) of Part 2 of Schedule 2.

(3) “Protected category event”, in relation to a student, means—

- (a) the student or the student’s spouse, civil partner or parent is recognised as a refugee;
- (b) the student or the student’s spouse, civil partner or parent becomes a person granted stateless leave;
- (c) the student or the student’s spouse, civil partner or parent becomes a person granted humanitarian protection;

- (d) the student or the student's spouse, civil partner or parent becomes a person granted leave to enter or remain on the grounds of discretionary leave;
- (e) the student becomes a person granted section 67 leave;
- (f) the student becomes a person granted indefinite leave to remain as a victim of domestic violence or domestic abuse;
- (g) the student becomes a person granted Calais leave;
- (h) the student becomes a person granted indefinite leave to remain as a bereaved partner;
- (i) the student or the student's spouse, civil partner or parent becomes a person granted leave under one of the Afghan Schemes; or
- (j) the student or the student's spouse, civil partner or parent becomes a person granted leave under one of the Ukraine Schemes.

(4) "Settled status event", in relation to a student, means the student becomes a family member described in paragraph 9A(1)(a), 9C(1)(a) or 9D(1)(a) of Part 2 of Schedule 2.

(5) "Course designation event", in relation to a course, means the course becomes a course designated under regulation 6;

(6) "Distance learning designation event", in relation to a course, means the course becomes a course designated under regulation 107;

(7) "Part-time course designation event", in relation to a course, means the course is designated under regulation 124;

(8) "Postgraduate course designation event", in relation to a course, means the course is designated under regulation 141;

(9) "Master's, etc. designation event", in relation to a course, means the course is designated under regulation 152;

(10) Where a protected category event occurs in relation to a student after the course start date, paragraph (11) applies for the purposes of determining whether that event results in the student becoming an eligible student, eligible distance learning student, eligible part-time student, eligible postgraduate student or eligible Master's etc student.

(11) The student is to be treated, for the purposes of determining whether the student satisfies any requirement in Schedule 2 to be ordinarily resident in Northern Ireland on the course start date, as if the student was, on the course start date, lawfully residing in the place where the student was residing on that date."

**37.** In regulation 10(2)(a) (time limits), for "one of the events listed in regulation 18" substitute "an in-year qualifying event or a course designation event".

**38.** For regulation 17 (students becoming eligible during the course of an academic year) substitute—

**"17. Students becoming eligible during the course of an academic year**

(1) Subject to paragraph 1(d) where—

- (a) a course designation event which results in a student's course becoming a designated course occurs in the course of an academic year;
- (b) a protected category event which results in a student becoming an eligible student occurs—
  - (i) in the course of the first academic year of a course; and
  - (ii) on or before the course start date; or



- (c) an in-year qualifying event which results in a student becoming an eligible student occurs within the first three months of an academic year,  
the student may qualify for a fee loan in accordance with this Part in respect of that academic year;
- (d) a fee loan is not available in respect of any academic year beginning before the academic year in which the event in question occurs.”.

**39.** Omit regulation 18(**52**) (events).

**40.** In regulation 39(general qualifying conditions for grants for living and other costs), for paragraph (7)(**53**) substitute—

“(7) Where a protected category event which results in a student becoming an eligible student occurs—

- (a) in the course of the first academic year of a course; and
- (b) on or before the course start date,

the student may qualify for a particular grant in accordance with this Part in respect of that academic year.

(7A) Subject to paragraph (7B), where—

- (a) a course designation event which results in a student’s course becoming a designated course occurs in the course of an academic year; or
- (b) an in-year qualifying event (other than a settled status event) which results in a student becoming an eligible student occurs in the course of an academic year,

the student may qualify for a particular grant in accordance with this Part in respect of part of that academic year.

(7B) student does not qualify for such a grant in respect of any academic year beginning before the academic year in which the event in question occurs.”.

**41.** In regulation 42 (amount of disabled students’ allowance), for paragraph (6)(**54**) substitute—

“(6) Where a protected category event which results in a student becoming an eligible student occurs—

- (a) in the course of the first academic year of a course; and
- (b) on or before the course start date,

the student may qualify for the disabled students’ allowance in respect of the four quarters of that academic year.

(6A) Where—

- (a) a course designation event which results in a student’s course becoming a designated course occurs in the course of an academic year; or
- (b) an in-year qualifying event (other than a settled status event) which results in a student becoming an eligible student occurs in the course of an academic year,

the student may qualify for the disabled students’ allowance in respect of the qualifying quarters.

(6B) For the purposes of paragraph (6A) “the qualifying quarters” means—

- (a) the quarter in which the relevant event occurs; and
- (b) if relevant, such other quarters as begin after the relevant event occurs.”.

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(52) Regulation 18 was amended by S.R.s [2019 No. 35](#), [2020 No. 295](#), 2021 Nos. [50](#) and [85](#) and [2022 No. 201](#).

(53) Paragraph 7 was amended by S.R.s [2012 No. 398](#), 2021 Nos. [85](#) and [260](#) and [2022 No. 201](#).

(54) Paragraph 6 was amended by S.R.s 2021 Nos. [85](#) and [260](#) and 2022 Nos. [75](#) and [201](#).

42. In regulation 46 (childcare grant), for paragraph (11)(55) substitute—

“(11) Where a protected category event which results in a student becoming an eligible student occurs—

- (a) in the course of the first academic year of a course; and
- (b) on or before the course start date,

the student may qualify for a childcare grant in respect of the four quarters of that academic year.

(11A) Where—

- (a) a course designation event which results in a student’s course becoming a designated course occurs in the course of an academic year; or
- (b) an in-year qualifying event (other than a settled status event) which results in a student becoming an eligible student occurs in the course of an academic year,

the student may qualify for a childcare grant in respect of such quarters of the academic year as begin after the event in question occurs.”.

43. In regulation 48(8)(d) (calculations) for “an event referred to in regulation 18” substitute—  
“—

- (i) course designation event, or
- (ii) an in-year qualifying event (other than a settled status event)”.

44. For regulation 50A(56) substitute—

**“Quarters in respect of which grant for travel is payable**

**50A.**—(1) Subject to paragraphs (2) and (3), a grant for travel is payable in respect of the four quarters of the academic year.

(2) Where a protected category event which results in a student becoming an eligible student occurs—

- (a) in the course of the first academic year of a course; and
- (b) on or before the course start date,

the student may qualify for a grant for travel in respect of the four quarters of the first academic year of the course.

(3) Where—

- (a) a course designation event which results in a student’s course becoming a designated course occurs in the course of an academic year; or
- (b) an in-year qualifying event (other than a settled status event) which results in a student becoming an eligible student occurs in the course of an academic year,

the student may qualify for a grant for travel in respect of such quarters of the academic year as begin after the event in question occurs.”.

45. In regulation 57 (qualifying conditions for maintenance grants) (as amended by regulation 12 of these regulations), for paragraph (5)(57) substitute—

“(5) Where a protected category event which results in a student becoming an eligible student occurs—

(55) Paragraph 11 was amended by S.R.s 2021 Nos. 85 and 260 and 2022 No. 201.

(56) Regulation 50A was inserted by S.R. 2012 No. 398 and amended by S.R.s 2021 Nos. 85 and 260 and 2022 No. 201.

(57) Paragraph 5 was amended by S.Rs. 2021 Nos. 85 and 201 and 2022 No. 201.

- (a) in the course of the first academic year of a course; and
- (b) on or before the course start date,

the student may qualify for a maintenance grant in respect of the four quarters of that academic year.

(5A) Where—

- (a) a course designation event which results in student's course becoming a designated course occurs in the course of an academic year; or
- (b) an in-year qualifying event (other than a settled status event) which results in a student becoming an eligible student occurs in the course of an academic year,

the student may qualify for a maintenance grant in respect of such quarters of the academic year as begin after the event in question occurs.”.

**46.** In regulation 59 (qualifying conditions for special support grant), for paragraph (5)(**58**) substitute—

“(5) Where a protected category event which results in a student becoming an eligible student occurs—

- (a) in the course of the first academic year of a course; and
- (b) on or before the course start date,

the student may qualify for a special support grant in respect of the four quarters of that academic year.

(5A) Where—

- (a) a course designation event which results in student's course becoming a designated course occurs in the course of an academic year; or
- (b) an in-year qualifying event (other than a settled status event) which results in a student becoming an eligible student occurs in the course of an academic year,

the student may qualify for a special support grant in respect of such quarters of the academic year as begin after the event in question occurs.”.

**47.** In regulation 74(**59**) (students becoming eligible in the course of an academic year)—

(a) for paragraph (1) substitute—

“(1) Where any of the following events occur in the course of an academic year, a student may qualify for a loan for living costs in respect of such quarters in respect of which such a loan is payable as beginning after the event in question occurs—

- (a) a course designation event which results in the student's course becoming a designated course; or
- (b) an in-year qualifying event (other than a settled status event) which results in the student becoming an eligible student.

(1A) Where a protected category event which results in a student becoming an eligible student occurs—

- (a) in the course of the first academic year of a course; and
- (b) on or before the course start date,

the student may qualify for a loan for living costs in respect of all quarters of that academic year in respect of which a loan for living costs is payable.”.

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(58) Paragraph 5 was amended by S.Rs. 2021 Nos. 85 and 260 and 2022 No. 201.

(59) Regulations 74 was amended by S.Rs. 2019 No. 35, 2020 No. 295, 2021 Nos. 50 and 85, 2022 Nos. 75 and 201.

(b) omit paragraph (2).

48. For regulation 106 (students becoming eligible during the course of the academic year) substitute—

**“106. Students becoming eligible during the course of the academic year**

(1) Subject to paragraph (1)(d) where—

- (a) a distance learning course designation event which results in a student’s course becoming a designated distance learning course occurs in the course of an academic year;
- (b) a protected category event which results in a student becoming an eligible distance learning student occurs—
  - (i) in the course of the first academic year of a course; and
  - (ii) on or before the course start date; or
- (c) an in-year qualifying event occurs within the first three months of an academic year which results in a student becoming an eligible distance learning student,

the student may qualify for a fee grant in accordance with this Part in respect of that academic year;

- (d) a fee grant is not available in respect of any academic year beginning before the academic year in which the event in question occurs.”.

(2) Subject to paragraph (2)(d) where—

- (a) a distance learning course designation event which results in a student’s course becoming a designated distance learning course occurs in the course of an academic year;
- (b) a protected category event which results in a student becoming an eligible distance learning student occurs—
  - (i) in the course of the first academic year of a course; and
  - (ii) on or before the course start date; or
- (c) an in-year qualifying event occurs within the first three months of an academic year which results in a student becoming an eligible distance learning student,

the student may qualify for a distance learning fee loan in accordance with this Part in respect of that academic year;

- (d) a distance learning fee loan is not available in respect of any academic year beginning before the academic year in which the event in question occurs.

(3) Subject to paragraph (3)(d) where—

- (a) a distance learning course designation event which results in a student’s course becoming a designated distance learning course occurs in the course of an academic year; or
- (b) a protected category event which results in a student becoming an eligible distance learning student occurs—
  - (i) in the course of the first academic year of a course; and
  - (ii) on or before the course start date; or
- (c) an in-year qualifying event (other than a settled status event) which results in a student becoming an eligible distance learning student occurs within the first three months of an academic year,

the student may qualify for a distance learning fee loan in accordance with this Part in respect of that academic year;

the student may qualify for a grant for books, travel and other expenditure in respect of such quarters, in respect of which a loan for living costs is payable, beginning after the event in question occurs;

(d) a grant for books, travel and other expenditure is not available in respect of any academic year beginning before the academic year in which the event in question occurs.

(4) Subject to paragraph (4)(d) where—

(a) a distance learning course designation event which results in a student's course becoming a distance learning course occurs in the course of an academic year; or

(b) a protected category event which results in a student becoming an eligible distance learning student occurs—

(i) in the course of the first academic year of a course; and

(ii) on or before the course start date; or

(c) an in-year qualifying event (other than a settled status event) which results in a student becoming an eligible distance learning student occurs within the first three months of an academic year,

the student may qualify for disabled distance learning students' allowance in respect of such quarters, in respect of which a loan for living costs is payable, beginning after the event in question occurs;

(d) a disabled distance learning students' allowance is not available in respect of any academic year beginning before the academic year in which the event in question occurs.”.

**49.** In Regulation 112 (disabled distance learning students' allowance), in paragraph (8) for “106(3)” substitute “106(4)”.

**50.** In Regulation 113 (6)(a) (applications for support), for “one of the events listed in paragraph (4) of regulation 106” substitute “an event falling within regulation 106”.

**51.** For regulation 123(**60**) (students becoming eligible during the course of the academic year) substitute—

**“123. Students becoming eligible during the course of the academic year**

(1) Subject to paragraph (1)(d) where—

(a) a part-time course designation event which results in a student's course becoming a designated part-time course occurs in the course of an academic year;

(b) a protected category event which results in a student becoming an eligible part-time student occurs—

(i) in the course of the first academic year of a course; and

(ii) on or before the course start date; or

(c) an in-year qualifying event occurs within the first three months of an academic year which results in a student becoming an eligible part-time student,

the student may qualify for a fee grant in accordance with this Part in respect of that academic year;

(d) a fee grant is not available in respect of any academic year beginning before the academic year in which the event in question occurs.”.

(2) Subject to paragraph (2)(d) where—

- (a) a part-time course designation event which results in a student's course becoming a designated part-time course occurs in the course of an academic year;
- (b) a protected category event which results in a student becoming an eligible part-time student occurs—
  - (i) in the course of the first academic year of a course; and
  - (ii) on or before the course start date; or
- (c) an in-year qualifying event occurs within the first three months of an academic year which results in a student becoming an eligible part-time student,

the student may qualify for a part-time fee loan in accordance with this Part in respect of that academic year;

- (d) a part-time fee loan is not available in respect of any academic year beginning before the academic year in which the event in question occurs.

(3) Subject to paragraph (3)(d) where—

- (a) a part-time course designation event which results in a student's course becoming a designated part-time course occurs in the course of an academic year; or
- (b) a protected category event which results in a student becoming an eligible part-time student occurs—
  - (i) in the course of the first academic year of a course; and
  - (ii) on or before the course start date; or
- (c) an in-year qualifying event (other a settled status event) which results in a student becoming an eligible student occurs within the first three months of an academic year,

the student may qualify for a grant for books, travel and other expenditure in respect of such quarters, in respect of which a loan for living costs is payable, beginning after the event in question occurs;

- (d) a grant for books, travel and other expenditure is not available in respect of any academic year beginning before the academic year in which the event in question occurs.

(4) Subject to paragraph to (4)(d) where—

- (a) a part-time course designation event which results in a student's course becoming a part-time course occurs in the course of an academic year; or
- (b) a protected category event which results in a student becoming an eligible part-time student occurs—
  - (i) in the course of the first academic year of a course; and
  - (ii) on or before the course start date; or
- (c) an in-year qualifying event (other a settled status event) which results in a student becoming an eligible student occurs within the first three months of an academic year,

the student may qualify for disabled part-time students' allowance in respect of such quarters, in respect of which a part-time fee loan is payable, beginning after the event in question occurs.

- (d) a disabled part-time students' allowance is not available in respect of any academic year beginning before the academic year in which the event in question occurs.”.

**52.** In Regulation 130 (disabled part-time students' allowance), in paragraph (7)(**61**) for the wording from "regulation 123" to "(p)" substitute "123(4)".

**53.** In Regulation 131 (applications for support), in sub-paragraph (6)(a) omit for "one of the events listed in paragraph (3) of regulation 123" substitute "an event falling within regulation 123".

**54.** In regulation 140(**62**) (students becoming eligible in the course of an academic year)—

(a) for paragraph (1) substitute—

“(1) Where any of the following events occur in the course of an academic year, a student may qualify for a grant under this Part in respect of which is payable as beginning after the event in question occurs—

- (a) a course designation event which results in the student's course becoming a designated course; or
- (b) an in-year qualifying event (other than a settled status event) which results in the student becoming an eligible student.

(1A) Where a protected category event which results in a student becoming an eligible student occurs—

- (a) in the course of the first academic year of a course; and
- (b) on or before the course start date,

the student may qualify for a grant under this Part in respect of all quarters of that academic year in respect of which a loan for living costs is payable.”

(b) omit paragraph (2).

**55.** In Regulation 146 (amount of grant), in sub-paragraph (5) omit "(2)".

**56.** For regulation 150(**63**) (students becoming eligible during the course of an academic year) substitute—

**“150. Students becoming eligible during the course of an academic year**

(1) Subject to paragraph (1)(d) where—

- (a) a master's, etc designation event which results in a student's course becoming a designated master's, etc. course occurs in the course of an academic year;
- (b) a protected category event which results in a student becoming an eligible master's, etc. student occurs—
  - (i) in the course of the first academic year of a course; and
  - (ii) on or before the course start date; or

(c) an in-year qualifying event which results in a student becoming an eligible master's, etc. student occurs within the first three months of an academic year, the student may qualify for a master's, etc. fee loan in accordance with this Part in respect of that academic year;

(d) a master's etc. fee loan is not available in respect of any academic year beginning before the academic year in which the event in question occurs.”

**57.** Omit regulation 151(**64**) (events).

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(61) Paragraph 7 was amended by S.R.s 2021 No. 260 and 2022 Nos. 75 and 201.

(62) Regulations 140 was amended by S.Rs. 2019 No. 35, 2020 No. 295, 2021 Nos. 50 and 85, 2022 Nos. 75 and 201.

(63) Regulations 150 was inserted by S.R. 2017 No. 7.

(64) Regulation 151 was amended by S.R.s 2019 No. 35, 2020 No. 295, 2021 Nos. 50 and 85 and 2022 No. 201.

**58.** In Regulation 159(65) (time limits) in sub-paragraph (2)(a) for “one of the events listed in 151” substitute “an in-year qualifying event”.

### **Amendments to the 2007 Regulations**

**59.** In regulation 5 (prescribed description of a qualifying person)—

(a) after paragraph (1)(66) insert —

“(1ZA) Subject to paragraphs (1) and (1C), a qualifying person is a person who—

(a) falls within a settled category or a protected category—

(i) on the course start date, where the relevant academic year is the first academic

year of the person’s course, or

(ii) otherwise, on the first day of a relevant academic year;

(b) falls within a prescribed category on the first day of a relevant academic year.

(1ZB) Paragraph (1ZA) includes a person who undertakes a qualifying course in an academic year which began before 1st September 2024 but who nevertheless falls within a settled category, a protected category or a prescribed category on the first day of an academic year commencing on or after that date.”

(b) in paragraph (1A)(a), omit—

(i) “2A,”;

(ii) “4, 4A, 4B, 4C, 4D, 4E, 4F, 4G, 4H, 4I, 5,”;

(iii) “8A,”.

(c) in paragraph (6) for “Where” substitute “Subject to paragraphs 8 to 10 where”

(d) after paragraph (7) insert—

“(8) Where a protected category event occurs in relation to a person after the course start date, paragraph (9) applies for the purposes of determining whether the person falls within a prescribed category on the first day of the relevant academic year.

(9) The person is, for the purposes of determining whether they satisfy any requirement in Part 2 of the Schedule that they are ordinarily resident in the United Kingdom on the course start date, to be treated as if the person was, on the course start date, lawfully residing in the place where the person was residing on that date.

(10) For the purposes of this regulation—

“protected category” means any category of persons described in paragraph 4, 4A, 4B, 4C, 4D, 4E, 4F, 4G, 4H, 4I or 5 of Part 2 of the Schedule;

“protected category event” means —

(a) the student or the student’s spouse, civil partner or parent is recognised as a refugee

or becomes a person granted humanitarian protection or becomes a person granted

stateless leave or becomes a person with leave to enter or remain on the grounds of

discretionary leave;

(65) Regulation 159 was inserted by S.R. 2017 No. 7 and amended by S.R 2020 No.79.

(66) paragraph (1) was amended by S.R.s 2011 No. 376 and 2022 No. 201.



- (b) the student becomes a person granted section 67 leave;
- (c) the student becomes a person granted Calais leave;
- (d) the student becomes a person granted indefinite leave to remain as a bereaved partner;
- (e) the student becomes a person granted indefinite leave to remain as a victim of domestic violence or domestic abuse;
- (f) the student or the student's spouse, civil partner or parent becomes a person granted leave under one of the Afghan Schemes; or
- (g) the student or the student's spouse, civil partner or parent becomes a person granted leave under one of the Ukraine Schemes.

“relevant academic year” means an academic year beginning on or after 1st September 2024;

“settled category” means any category of persons described in paragraph 2 or 8A of the Schedule.”.

## CHAPTER 10

### Amendments to Family Members of Settled Persons

#### Amendments to the 2009 Regulations

**60.** In Part 2 of Schedule 2 (eligible students) (as amended by regulations 29 and 32 of these regulations)—

- (a) in paragraph 1(1) of the interpretation at sub-paragraph (e) of the definition of “family member”(67) for “paragraphs 9, 9B, 9C and 9D” substitute “paragraphs 9, 9B, 9D or for the purposes of paragraph 9C in relation to a person settled in the United Kingdom”;
- (b) in paragraph 9C(1)(a)(68), for “a United Kingdom national” substitute “settled in the United Kingdom”.

#### Amendments to the 2007 Regulations

**61.** In the Schedule (qualifying persons) (as amended by regulations 21, 30, and 34 of these regulations)—

- (a) in paragraph 1(1) of the interpretation at sub-paragraph (e) of the definition of “family member”(69) for “paragraphs 9, 9ZB, 9ZC and 9ZD” substitute “paragraphs 9, 9ZB, 9ZD or for the purposes of paragraph 9ZC in relation to a person settled in the United Kingdom”;
- (b) in paragraph 9ZC(1)(a)(70) for “a United Kingdom national” substitute “settled in the United Kingdom”.

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(67) “family member” was amended by S.R. 2010 No. 383 and S.R. 2021 No. 85.

(68) Paragraph 9C was inserted by S.R. 2021 No. 85

(69) “family member” definition was amended by S.R. 2011 No. 70 and S.R. 2021 No. 85.

(70) Paragraph 9ZC was inserted by S.R. 2021 No. 85

## CHAPTER 11

## Amendments to Relevant Institutions

**Amendments to the 2009 Regulations**

**62.** In regulation 2 (interpretation) ( as amended by regulations 10, 19 ,22, 31 and 35 of these regulations) in the definition of “relevant institution of higher education in the Republic of Ireland” for “an institution listed in Schedule 6” substitute “a publicly funded prescribed approved institution for the purposes of section 7 of the Student Support Act 2011(71)”;

**63.** Omit Schedule 6(72) to the 2009 Regulations (Relevant Institutions of Higher Education in the Republic of Ireland).

**Amendments to the 2007 Regulations**

**64.** In regulation 5(7) (prescribed description of a qualifying person) (as amended by regulation 59 of these regulations) for “means an institution listed in Schedule 6 to the Student Support Regulations” substitute “has the same meaning as in the Student Support Regulations”.

## CHAPTER 12

## Miscellaneous

**Amendments to the 2009 Regulations**

**65.** In Regulation 5(3)(h)(73) (eligible students) (as amended by regulations 11 and 24 of these Regulations) for “another member state” substitute “a member state”.

**66.** In Regulation 39 (General qualifying conditions for grants for living and other costs) for paragraph (2)(74) substitute—

“(2) An eligible student does not qualify for a bursary or grant under this Part if the only paragraph or paragraphs in Part 2 of Schedule 2 into which the student falls is one or more of paragraphs 2A, 9, 9A, 9C or 9D.”

**67.** In Regulation 40(1) (Students who are treated as in attendance)—

- (a) in sub-paragraph (c) for “;” substitute “.”;
- (b) omit sub-paragraph (d).

**68.** In Regulation 57 (as amended by regulations 12 and 45 in these regulations) after the repealed paragraph (6) insert—

“(7) A current system student does not qualify for a maintenance grant if the current course is the graduate entry course.”

**69.** In Regulation 149(8)(75) (Eligible Master’s, etc. Students) for “and (12)” substitute “, (11E), (11F), (12), (12A) and (12C)”.

**70.** In paragraph 4A to Schedule 2 add the heading —

*“Persons granted section 67 leave”*

(71) No. 4 of 2011

(72) Schedule 6 was amended by S.R.s 2013 No. 223, 2014 No. 309, 2016 No. 21, 2017 No. 43, 2019 No.35, 2020 No. 79 and S.R. 2021 No. 50.

(73) Sub-paragraph (h) was inserted by S.R. 2013 No. 128.

(74) Sub-paragraph (a) was amended by S.R. 2021 No.85.

(75) Sub-Paragraph (8) was amended by S.R. 2021 No. 50.

### **Amendments to the 2007 Regulations**

71. In regulation 2 in the definition of “Student Support Regulations” for “the Education (Student Support) Regulations (Northern Ireland) 2007” substitute “The Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009”.

## CHAPTER 13

### Amendments to Loan Amounts

### **Amendments to the 2009 Regulations**

72. The Schedule to these Regulations has effect to substitute the figure in the third column of the table for the figure in the second column where that figure appears in the provision of the Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009 set out in the first column.

## CHAPTER 14

### Savings

### **Savings: the 2009 Regulations**

73. In this Chapter “earlier academic year” means an academic year beginning before 1<sup>st</sup> August 2024.

74. This regulation applies where an existing SSR Afghan scheme student (“S”) applies for support under the 2009 Regulations in respect of a new academic year of a relevant course (the “current course”).

75. For the purposes of determining whether S’s status as a relevant student terminates before the first day of the academic year of the current course in respect of which S is applying for support (see regulation 5, 105, 122, 139 and 149 of the 2009 Regulations (as the case may be)), the 2009 Regulations apply as if the amendments made by regulations 22, 23(a), 24(a), 25(a), 26(a), 27(a), 28(a) and 29(a) of these Regulations had not been made.

76. In this regulation—

“designated course”, “designated part-time course”, “designated postgraduate course”, “eligible student”, “eligible part-time student” and “eligible postgraduate student” have the meanings given in the 2009 Regulations;

“existing 2009 Regulations Afghan scheme student” means a student who the Secretary of State determined, by virtue of the student falling within paragraph (a)(ii) of the definition of “person granted leave under the Afghan Citizens Resettlement Scheme” in regulation 2(1) of the 2009 Regulations, or paragraph (a)(iv) of the definition of “person granted leave under the Afghan Relocations and Assistance Policy Scheme” in that regulation, to be a relevant student—

- (a) in connection with an application for support for an earlier academic year of the current course, or
- (b) in connection with an application for support for a relevant course from which the student’s status as an eligible student, eligible distance learning student, eligible part-time student, eligible postgraduate student or eligible Master’s etc. student has been transferred to the current course;

“relevant course” means a designated course, designated distance learning course, designated part-time course, designated postgraduate course or designated Master’s etc. course;

“relevant student” means an eligible student, eligible distance learning student, eligible part-time student, eligible postgraduate student or eligible Master’s Etc. student;

“the 2009 Regulations means the Education (Student Support) (No. 2) Regulations (Northern Ireland) 2009.”